COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 10, 2011

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

41 May 10, 2011

SACHI A. HAMAI
EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVE COOPERATIVE AGREEMENT FOR
NOGALES STREET GRADE SEPARATION PROJECT
COUNTY OF LOS ANGELES – LOS ANGELES COUNTY FLOOD CONTROL DISTRICT –
ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
IN THE UNINCORPORATED COMMUNITY OF
ROWLAND HEIGHTS AND THE CITY OF INDUSTRY
(SUPERVISORIAL DISTRICTS 1 AND 4)
(3 VOTES)

SUBJECT

This action is to approve a cooperative agreement with the Alameda Corridor-East Construction Authority for the design, construction, and maintenance of the Nogales Street grade separation project in the unincorporated community of Rowland Heights and the City of Industry.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE THE LOS ANGELES COUNTY FLOOD CONTROL CONTROL DISTRICT

1. Consider the Mitigated Negative Declaration prepared and adopted by the Alameda Corridor-East Construction Authority, as lead agency, together with any comments received during the public review period, and certify that your Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Mitigated Negative Declaration; find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment; and adopt the Mitigation Monitoring and Reporting Program for the project finding the program is adequately designed to ensure compliance with the mitigation measures.

2. Approve and instruct the Mayor of the Board of Supervisors to sign the cooperative agreement between the County of Los Angeles, Los Angeles County Flood Control District, and the Alameda Corridor-East Construction Authority covering the design, construction, and maintenance of the Nogales Street grade separation project. Alameda Corridor-East Construction Authority will administer the project with the County of Los Angeles to contribute $13,283,147 toward the project cost using Federal Congestion Management Air Quality and Intermodal Surface Transportation Enhancement Act funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to adopt the enclosed Mitigation Monitoring and Reporting Program and Mitigated Negative Declaration for the project and execute the enclosed cooperative agreement between the County of Los Angeles (County), the Los Angeles County Flood Control District (District), and the Alameda Corridor-East Construction Authority (ACE) covering the design, construction, and maintenance of a highway-rail grade separation project at Nogales Street and Railroad Street located in the unincorporated community of Rowland Heights and the City of Industry (City). This project will eliminate the Union Pacific Railroad at-grade crossing at Nogales Street and includes the widening of Gale Avenue and Walnut Drive, relocating a storm drain, and constructing a temporary detour road.

Under the terms of the cooperative agreement, ACE will be responsible for the design, right-of-way acquisition, and construction of the project. The design plans for the project are currently being prepared by ACE and reviewed by the County and the District. Your Board's approval of this cooperative agreement will provide for the reimbursement of costs incurred by the County and District for design review and construction inspection for the elements of the project impacting County and District infrastructure and also formalize the County's contribution of Federal funds toward the project cost.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Construction of this project will improve safety and increase the mobility of motorists and foster economic vitality, thereby improving the quality of life for County and City residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The current cost estimate for the project is $92,878,000. Of the County's fixed contribution of $13,283,147 toward the project cost, $6,936,147 will be funded with Federal Intermodal Surface Transportation Equity Act funds and $6,347,000 will be funded with Federal Congestion Mitigation and Air Quality funds.

The cooperative agreement provides for the County and District to provide engineering services such as plan review, construction inspection, and design support for the portion of the project within County and District jurisdiction. The actual cost of services rendered by the County and the District, currently estimated at $375,000, will be fully reimbursed by ACE. The County will notify ACE when

its expenses reach 75 percent of the estimated amount to allow sufficient time for ACE to appropriate additional funds if necessary.

The necessary funds to finance the County's expenditures for this project are included in the First and Fourth Supervisorial Districts' Road Construction Programs in Fiscal Year 2010-11 Road Fund Budget and the recommended Fiscal Year 2011-12 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Department of Public Works (Public Works) requested that ACE be the lead agency for the project, and on March 24, 2008, the ACE Board of Directors approved the transfer of project responsibilities from Public Works to ACE.

On January 13, 2009, Synopsis 23, your Board approved a Project Baseline Agreement between the County and ACE that provided for the County to commit $12,000,000 in local funds toward the cost of the project.

Subsequently, the County identified $13,283,147 in Federal funds that can be used in lieu of the County's local funds committed for the project. The cooperative agreement formalizes the transfer of Federal funds from the County to ACE.

The cooperative agreement has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

In executing the cooperative agreement, the County and District, respectively, are acting as responsible agencies for the project. ACE, as the lead agency, has prepared an Initial Study, consulted with the County and the District, and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on September 22, 2009. Following mitigation, the project will not have a significant effect on the environment.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. ACE has paid the fee. Upon your Board's finding that the project will not have a significant effect on the environment, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing fees in the amount of $75 with the Registrar Recorder/County Clerk.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will improve the quality of life for County residents traveling in the San Gabriel Valley through enhanced safety, increased mobility, and improved air quality. The County is being reimbursed for its work in reviewing the Project, and Public Works will work with ACE and their consultants to ensure that the Mitigation Monitoring and Reporting Program is implemented.

CONCLUSION

Enclosed are three originals of the cooperative agreement. Upon execution, please return one adopted copy of this letter and two originals of the cooperative agreement to the Department of Public Works, Programs Development Division. You may keep the copy marked County Original.

Respectfully submitted,

Gail Farber

GAIL FARBER
Director

GF:JTW:pr

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

COUNTY ORIGINAL

AGREEMENT
REGARDING THE DESIGN AND CONSTRUCTION OF NOGALES STREET GRADE SEPARATION AT THE UNION PACIFIC RAILROAD LOS ANGELES SUBDIVISION BY THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY ON BEHALF OF THE COUNTY OF LOS ANGELES

THIS AGREEMENT, made and entered into and effective this 10 day of May, 2011, by and between the COUNTY OF LOS ANGELES and the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, political subdivisions of the State of California, hereinafter referred to respectively as "COUNTY" and "DISTRICT," whose mailing address is 900 South Fremont Avenue, Alhambra, CA 91803, and the ALAMEDA CORRIDOR – EAST CONSTRUCTION AUTHORITY OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS, a California joint powers authority, hereinafter referred to as "ACE," whose mailing address is 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706. COUNTY, DISTRICT, and ACE may hereinafter be referred to as "PARTIES."

77506

WITNESSETH

WHEREAS, ACE contemplates designing and constructing a highway grade separation at the Union Pacific Railroad (UPRR) Los Angeles Subdivision at Nogales Street in the unincorporated COUNTY and City of Industry, which work is hereinafter referred to as PROJECT; and

WHEREAS, ACE proposes to complete all preliminary studies; prepare plans, specifications, and cost estimates; and construct the PROJECT; and

WHEREAS, COUNTY proposes to review PROJECT submittals within DISTRICT jurisdiction and unincorporated COUNTY per COUNTY, DISTRICT, State of California Department of Transportation (Caltrans), California Manual on Uniform Traffic Control Devices, and American Public Works Association standards, and desires to specify terms and conditions under which PROJECT is to be engineered, constructed, financed, operated, and maintained; and

WHEREAS, ACE proposes to reimburse COUNTY for the actual costs COUNTY and DISTRICT incur for the work COUNTY and DISTRICT perform in conjunction with this AGREEMENT and as described herein; and

WHEREAS, the total project cost is currently estimated at $88,100,000.00, of which the COUNTY proposes to contribute $13,283,147.00 of funds, for which $6,936,147.00 will be funded with Intermodal Surface Transportation Equity Act Demonstration Program funds and $6,347,000.00 will be funded with Federal Congestion Mitigation and Air Quality funds; and

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, it is hereby agreed as follows:

SECTION I

ACE AGREES:

1. To deliver to COUNTY and DISTRICT, for its review, comment, and acceptance, as appropriate, all necessary preliminary and final engineering of those portions of the PROJECT pertaining to construction of or connection to COUNTY and DISTRICT owned infrastructure or construction within COUNTY or DISTRICT owned right of way, including plans and specifications, traffic control plans, and utility identification and location, and all necessary construction engineering, support, and management services, including all required accounting for PROJECT.

2. To use the American Public Works Association Standard Specifications for Public Works Construction and Standard Plans for Public Works Construction (Green Book), as modified by the COUNTY's Additions and Amendments to the Standard Specifications for Public Works Construction (Gray Book), California Manual on Uniform Traffic Control Devices, as well as the State of California Department of Transportation Standard Plans and Standard Specifications (Caltrans Standards).

3. To act as lead agency and obtain all environmental approvals as required from Federal, State, and local agencies for the PROJECT.

4. To reimburse COUNTY's and DISTRICT's actual costs for the review, construction inspection, and design support of the ACE work within the COUNTY's and DISTRICT's purview, currently estimated to be Three Hundred and Seventy-Five Thousand Dollars ($375,000.00), including all costs incurred from the date the PROJECT was transferred, March 24, 2008, from COUNTY to ACE. Final actual costs may be more or less than such estimate; therefore, the estimate will not be construed as a limitation of costs for the review. COUNTY's costs include correspondence, estimating, inspection, review of design plans and reports, design support during construction, and exchange of engineering information.

5. To provide additional authorization for the COUNTY work, when timely requested by COUNTY, if COUNTY's and DISTRICT's total actual costs are anticipated to exceed Three Hundred and Seventy-Five Thousand and 00/100 Dollars ($375,000.00), in the form of correspondence signed by the ACE Chief Executive Officer.

6. To obtain all required authorizations and permits from various government agencies and the Union Pacific Railroad Company necessary to construct the PROJECT.

7. To obtain a right-of-entry permit for COUNTY and DISTRICT to enter Union Pacific Railroad right of way for purposes of the PROJECT.

8. To pay for all Union Pacific Railroad costs for railroad flagging and associated matters to enable COUNTY and DISTRICT to enter railroad right of way for purposes of the PROJECT.

9. To acquire the necessary rights of way and easements required for roadway, storm drain, and sewer maintenance purposes in accordance with the COUNTY and DISTRICT's Real Estate Requirements for Accepting Parcel Transfers for ACE Projects and to transfer same to COUNTY and DISTRICT after PROJECT completion. For right of way that will be quitclaimed to COUNTY or DISTRICT, to provide COUNTY or DISTRICT, as appropriate, with copies of the vesting deeds.

10. To modify COUNTY and DISTRICT facilities in compliance with COUNTY and DISTRICT standards, and in the event COUNTY-maintained traffic signals or lighting are affected, to provide 15 days written notice to COUNTY to minimize the interruption of services.

11. In addition to the mutual indemnifications found in Section IV herein, to indemnify the COUNTY and DISTRICT specifically with respect to the presence of any hazardous materials now or in the future on any real property acquired for any right of way or easement purposes related to the PROJECT.

12. To transfer the right of way acquired for storm drain, roadway, and sanitary sewer purposes to COUNTY or DISTRICT, as appropriate, upon the satisfaction of COUNTY and DISTRICT with the Environmental Site Assessment, Title, and other COUNTY and DISTRICT requirements.

13. To prepare all necessary plans, specifications, and cost estimates and to obtain COUNTY and DISTRICT approval thereof prior to PROJECT being advertised for construction bids.

14. Upon completion of the PROJECT, to furnish COUNTY and DISTRICT with a complete set of full-size film positive reproducible as-built plans within sixty (60) days of acceptance of work.

SECTION II

COUNTY AGREES:

1. To provide ACE all available plans and survey data of existing COUNTY and DISTRICT infrastructure necessary to design PROJECT.

2. To inform ACE in writing within fifteen (15) days after receipt of each set of plans, preliminary studies, specifications, and/or cost estimates from ACE, if any of the materials are incomplete or if additional information is necessary in order to facilitate COUNTY's and DISTRICT's review of the materials.

3. To provide design review services for those sections of the PROJECT within COUNTY and DISTRICT jurisdiction; and as otherwise requested by ACE, provided that any costs for additional requested reviews are reimbursed by ACE.

4. To review and provide to ACE any comments and suggestions to, or required approvals/disapprovals of (and reasons therefore) each set of plans, preliminary studies, specifications, and/or cost estimates submitted to it within thirty (30) days after receipt of the complete materials. Any required acceptance shall not be unreasonably withheld.

5. To submit to ACE itemized invoices for the actual costs of its PROJECT-related costs not more often than every thirty (30) days.

6. To furnish an accounting of final actual cost for its PROJECT-related costs and provide ACE an invoice of the same within one hundred twenty (120) days after acceptance of PROJECT by COUNTY and DISTRICT, including acceptance of all real property.

7. COUNTY agrees to contribute a total of Thirteen Million Two Hundred Eighty-Three Thousand One Hundred Forty-Seven dollars ($13,283,147.00) to fund the PROJECT. Of the total Thirteen Million Two Hundred Eighty-Three Thousand One Hundred Forty-Seven dollars ($13,283,147.00) COUNTY contribution, Six Million Nine Hundred Thirty-Six Thousand One Hundred Forty-Seven dollars ($6,936,147.00) will be funded through Intermodal Surface Transportation Equity Act Demonstration Program (ISTEA) funds, and Six Million Three Hundred and Forty-Seven Thousand dollars ($6,347,000.00) will be funded with Congestion Mitigation and Air Quality (CMAQ) funds through Caltrans as part of the exchange of funds between COUNTY, ACE, and the Los Angeles County Metropolitan Transportation Authority. The ISTEA funds may be used for any phase of the project. The CMAQ funds will be accessed by ACE through submission of a Request for Authorization of funds to Caltrans prior to advertising the project. The CMAQ funds shall be used for construction and shall be obligated for the PROJECT by June 30, 2012.

8. To accept all rights of way acquired for storm drain, roadway, and sanitary sewer purposes for the PROJECT within COUNTY and DISTRICT jurisdiction, upon satisfaction of the site assessment, title, and other COUNTY and DISTRICT requirements.

9. To enforce available rights under existing franchise agreements if existing public and/or private utilities conflict with the construction of PROJECT.

10. To provide design support and inspection of the PROJECT as appropriate to COUNTY and DISTRICT's interest, which costs shall be paid for by ACE.

11. To accept road, sewer, and storm drain maintenance responsibilities of those facilities within the COUNTY's and DISTRICT's jurisdictional area, upon completion of all work under this Agreement, and after concurrence by COUNTY and DISTRICT. Prior to such concurrence, COUNTY shall perform a final inspection which shall be satisfactorily addressed by ACE.

12. To notify ACE when 75% of the amount estimated by COUNTY for review, construction inspection, and design support is expended, to permit COUNTY to request additional appropriations from ACE if necessary.

SECTION III

DISTRICT AGREES:

1. That COUNTY will represent the DISTRICT and its interests in all matters relating to the PROJECT and the DISTRICT's involvement.

SECTION IV

IT IS MUTUALLY AGREED AS FOLLOWS:

1. Should any portion of PROJECT be financed with funds with specific expenditure requirements or limitations, all applicable laws, regulations and policies relating to the use of such funds shall apply notwithstanding other provisions of this Agreement.

2. That advertisement and construction by ACE of those portions of the PROJECT that lie within COUNTY and DISTRICT rights of way or affect COUNTY or DISTRICT facilities shall not commence until ACE's final construction plans involving such work have been reviewed and approved by the County Engineer, or his/her designated agent.

3. That during the course of plan preparation, COUNTY or DISTRICT may request ACE to include additional work in PROJECT. Said work shall be considered a "betterment" if it is not directly required by the proposed work shown in Exhibit "A," is not eligible for, or within the scope of, the funding appropriated to ACE for PROJECT as determined by Caltrans in accordance with Title 23 of the Federal Code of Regulations, or is not designated as a required mitigation measure for PROJECT. In addition, the term "betterment" shall include any COUNTY or DISTRICT-funded work that COUNTY or DISTRICT desires to have constructed concurrently with PROJECT and for which ACE is able to reasonably accommodate in PROJECT. A separate agreement shall be executed defining the terms and conditions under which betterment is to be engineered, constructed, financed, operated, and maintained.

4. ACE will pay all invoices submitted for actual costs incurred by COUNTY and DISTRICT in relation to the PROJECT within thirty (30) days following receipt, except for those costs that may be disputed by ACE, which costs ACE shall identify in writing within thirty (30) days following invoice receipt. COUNTY and DISTRICT shall review all disputed charges and submit a written justification detailing the basis for those charges within thirty (30) days of receipt of ACE's written report. ACE shall make payment of the previously disputed charges or submit written justification for nonpayment within 30 days after the date of COUNTY's written justification.

5. If the location of existing public and/or private utilities conflicts with the construction of PROJECT, ACE will identify such utilities and make all necessary arrangements with the owners of such utilities for their protection, relocation, or removal. COUNTY or DISTRICT may choose to coordinate and inspect such protection, relocation, or removal work, at their discretion. If there are costs of such protection, relocation, or removal, ACE will pay One Hundred Percent (100%) of the cost of said protection, relocation, or removal plus costs of engineering overhead and inspection. Nothing in this Agreement shall restrict or affect COUNTY's or DISTRICT's ability to enter into separate agreements with utilities for any purpose, including for reimbursements of utility costs for protection, relocation, maintenance, or removal of their facilities.

6. COUNTY, DISTRICT, and ACE shall be responsible for entering into a Construction and Maintenance Agreement with the Union Pacific Railroad Company for the PROJECT as it relates to the responsibilities of the tracks, right of way, and other facilities owned by the Union Pacific Railroad Company. ACE will be responsible for preparing the agreement.

7. Prior to COUNTY and DISTRICT acceptance of all necessary environmental documents, including the final site assessment, plans, specifications, and cost estimates prepared by ACE for the PROJECT, ACE will confer with COUNTY, in good faith, to obtain COUNTY and DISTRICT concurrence with the environmental documents, plans, specifications, and cost estimates have been completed in substantial conformance with COUNTY and DISTRICT's adopted design standards and specifications. Should PARTIES unable to agree on completion of PROJECT environmental documents, plans, specifications, and cost estimates as discussed herein, then PARTIES shall meet and confer, in good faith, to resolve the disagreement. If the disagreement has not been resolved at the end of thirty (30) days, then the disagreement will be submitted to mediation in accordance with the Mediation Rules of the American Arbitration Association. PARTIES shall equally share in the costs of mediation and the mediator shall be acceptable to the PARTIES. If PARTIES are unable to agree on the selection of a mediator, then assistance will be obtained from the American Arbitration Association. PARTIES agree to participate in mediation and any associated negotiations for a period of at least sixty (60) days. If the disagreement cannot be resolved through mediation, the disagreement may be submitted to binding arbitration if PARTIES so agree at the time.

8. ACE, the San Gabriel Valley Council of Governments, and their respective elected and appointed boards, officials, officers, agents, employees, and volunteers (individually and collectively, "ACE INDEMNITEES") shall have no liability to COUNTY or DISTRICT for any act or omission by COUNTY, DISTRICT, or any other person, and COUNTY and/or DISTRICT, as appropriate, pursuant to Government Code Section 895.4, shall indemnify, defend (using legal counsel of COUNTY's or DISTRICT's own choosing), protect and hold harmless ACE INDEMNITEES from and against, any liabilities, as defined in Section IV, Paragraph 10, or legal challenges to the PROJECT arising out of any act or omission by COUNTY and/or DISTRICT under or in connection with any work, authority, breach of any obligation under this Agreement or jurisdiction associated with the PROJECT and delegated to COUNTY and/or DISTRICT under this Agreement. Any rights of COUNTY and/or DISTRICT to inspect, review, and/or approve of PROJECT design or construction shall not signify

that ACE relinquishes management or control over such design or construction.

9. COUNTY, DISTRICT, its special districts and their respective elected and appointed boards, officials, officers, agents, employees, and volunteers (individually and collectively, "COUNTY INDEMNITEES") shall have no liability to ACE for any act or omission by ACE INDEMNITEES or any other person, and ACE, pursuant to Government Code Section 895.4, shall indemnify, defend, protect and hold harmless COUNTY INDEMNITEES from and against, any liabilities, as defined in Section IV, Paragraph 10, or legal challenges to the PROJECT arising out of any act or omission by ACE under or in connection with any work, authority, breach of any obligation under the Agreement or jurisdiction associated with the PROJECT and delegated to ACE under this Agreement.

10. The term "liabilities" used in Section IV, Paragraphs 8 and 9, shall mean any and all judgments, awards, claims, demands, liabilities, injury (as defined by Government Code Section 810.8), obligations, litigation, fines, penalties, fees (including, without limitation, expert witness fees, engineering and defense costs, and legal fees), costs (including, without limitation, any and all costs involved in instituting a direct condemnation proceeding, and any and all costs involved in defending an inverse condemnation proceeding, and any and all cost involved in an environmental cleanup or archaeological discovery), expenses (including, without limitation, attorneys' fees and court costs), proceedings, suits, and actions of whatever kind, and damages of any nature whatsoever (including, without limitation, bodily injury, death, personal injury, or property damage).

11. Every notice, demand, request, or other document or instrument delivered pursuant to this Agreement shall be in writing, and shall be either personally delivered, by Federal Express or other reputable overnight courier, sent by facsimile transmission with telephonic confirmation of actual receipt and the original subsequently delivered by other means, or sent by certified United States mail, postage prepaid return receipt requested, to the addresses set forth below, or to such other address as a party may designate from time to time:

To COUNTY or DISTRICT:

Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803
Attention: Ms. Gail Farber, Director of Public Works
Telephone: (626) 458-4002
Fax: (626) 458-4022

To ACE:

ACE Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Attention: Mr. Rick Richmond, Chief Executive Officer
Telephone: (626) 962-9292
Fax: (626) 962-3552

12. This Agreement constitutes the entire understanding and agreement of the PARTIES and integrates all of the terms and conditions mentioned herein or incidental hereto with respect to the subject matter hereof, and supersedes all negotiations or previous agreements between the PARTIES with respect to all or part of the subject matter hereof.

13. This Agreement may be amended in writing at any time by the mutual consent of the PARTIES. No amendment shall have any force or effect unless executed in writing by the PARTIES.

14. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the Agreement shall continue in full force and effect, unless PARTIES would be materially altered or abridged by such interpretation.

15. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

16. Except as set forth herein, no signatory shall assign or otherwise transfer this Agreement or its right of interest or any part thereof to any third party without the prior written consent of the PARTIES. Such consent shall not be unreasonably withheld. No assignment of this Agreement shall relieve the assigning signatory of its obligations until such obligations have been assumed in writing by the assignee. When duly assigned in accordance with the forgoing, this Agreement shall be binding upon and inure to the benefit of the assignee.

IN WITNESS WHEREOF, the PARTIES hereto have caused this Agreement to be executed by their respective officers as of the date first written above.

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COUNTY OF LOS ANGELES

Mike Antonovich

Mayor, County of Los Angeles

ATTEST:

Sachi Hamai
Executive Officer
Board of Supervisors
County of Los Angeles

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By: Deputy

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Mike Antonovich

Mayor, Board of Supervisors of the Los Angeles County Flood Control District

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By: Deputy

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

Chief Executive Officer

ATTEST:

Secretary

APPROVED AS TO FORM:

ACE General Counsel

77506

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____ Deputy

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#41 MAY 10 2011

A. HAMAI
EXECUTIVE OFFICER

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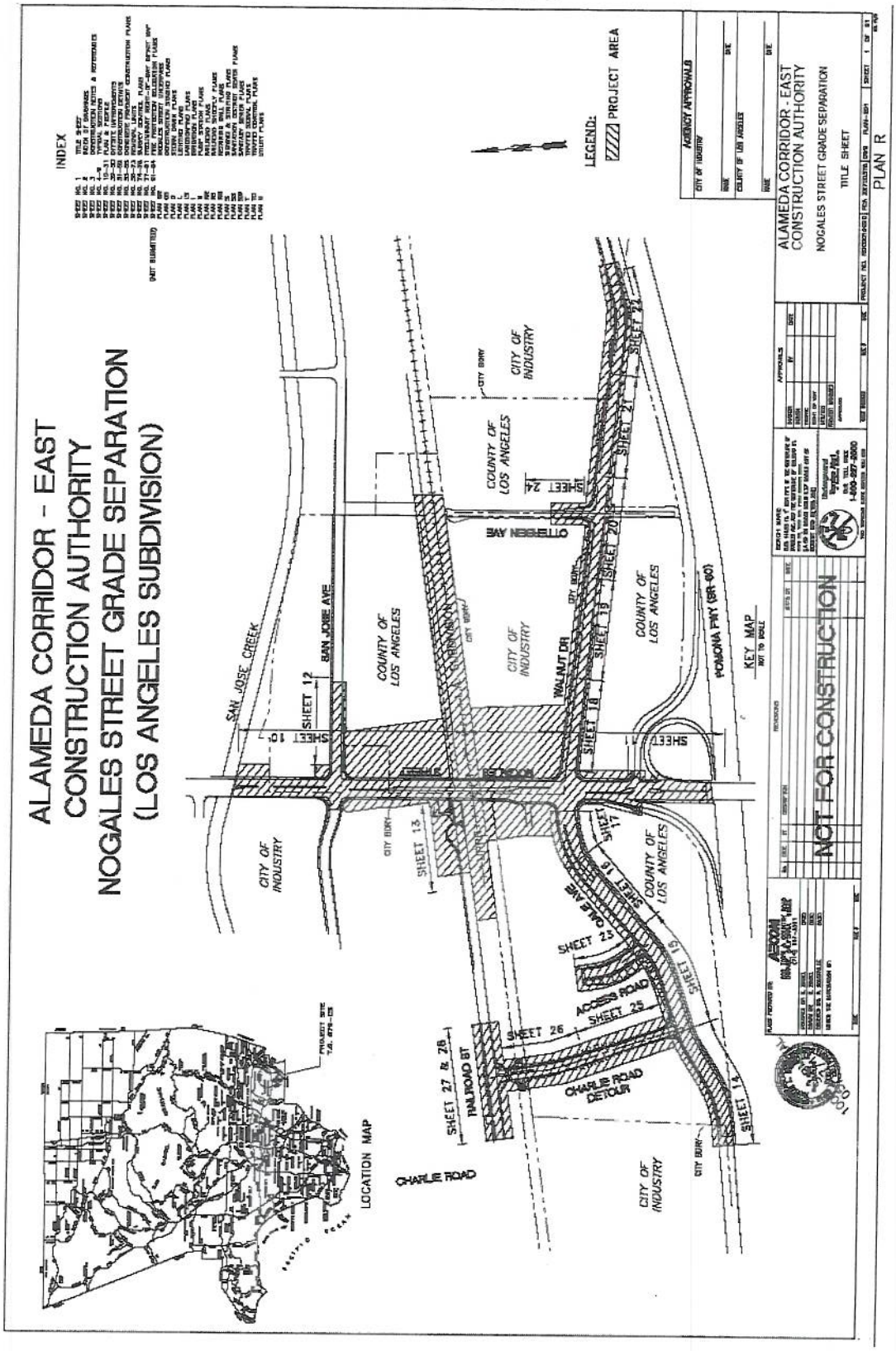
EXHIBIT A
PROJECT LIMITS



NOGALES STREET GRADE SEPARATION AND GALE AVENUE/WALNUT DRIVE WIDENING PROJECT

LOS ANGELES COUNTY, CALIFORNIA
DISTRICT 7 - LA - NOGALES STREET/ROUTE 60 - PM 20.43
EA 07-933107L

INITIAL STUDY WITH PROPOSED MITIGATED NEGATIVE DECLARATION/ ENVIRONMENTAL ASSESSMENT WITH FINDING OF NO SIGNIFICANT IMPACT

PREPARED BY

THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
AND THE ALAMEDA CORRIDOR-EAST
CONSTRUCTION AUTHORITY

THE ENVIRONMENTAL REVIEW, CONSULTATION, AND ANY OTHER ACTION REQUIRED IN ACCORDANCE WITH APPLICABLE FEDERAL LAWS FOR THIS PROJECT IS BEING, OR HAS BEEN, CARRIED OUT BY CALTRANS UNDER ITS ASSUMPTION OF RESPONSIBILITY PURSUANT TO 23 U.S.C. 327.

Caltrans

SEPTEMBER 2009

TAHA 2007-019

Nogales Street Grade Separation
(Union Pacific Railroad Los Angeles Subdivision)
and Gale Avenue/Walnut Drive Widening Project
City of Industry, Los Angeles County

Initial Study and Mitigated Negative Declaration/ Environmental Assessment

Submitted Pursuant to:
Division 13 California Public Resources Code and
42 USC 4332(2)(C)

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

Alameda Corridor-East Construction Authority

and

State of California
Department of Transportation

Rick Richmond
Chief Executive Officer
Alameda Corridor-East Construction Authority

11/6/08
Date

Ronald J. Kosinski
Deputy District Director
District 7 Division of Environmental Planning
California Department of Transportation

11/7/08
Date

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT

FOR

Nogales Street Grade Separation
(Union Pacific Railroad Los Angeles Subdivision)
and Gale Avenue/Walnut Drive Widening Project
City of Industry, Los Angeles County

The proposed project is located in the City of Industry and in unincorporated Los Angeles County in Los Angeles County. The proposed project consists of a grade separation in the City of Industry at the Nogales Street crossing of the Union Pacific Railroad (UPRR) Los Angeles Subdivision tracks and by depressing Nogales Street below the existing UPRR tracks. The proposed project also consists of widening a 0.83-mile segment of Gale Avenue/Walnut Drive (a 0.36-mile segment of Gale Avenue and a 0.47-mile segment of Walnut Drive) by 16 to 18 feet (8 to 9 feet on either side), from its intersection with Nogales Street, creating a four-lane road (two lanes in each direction).

The California Department of Transportation (Caltrans) has determined that the Nogales Street Grade Separation (Union Pacific Railroad Los Angeles Subdivision) and Gale Avenue/Walnut Drive Widening Project will have no significant impact on the human environment. This finding of no significant impact (FONSI) is based on the attached Environmental Assessment (EA) which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA.

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried-out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

Ronald Kosinski

Ronald J. Kosinski
Deputy District Director
District 7 Division of Environmental Planning
California Department of Transportation

Aug 24, 2009
Date

MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (the Department) proposes the Nogales Street grade separation and Gale Avenue/Walnut Drive widening Project (Proposed Project), which would provide a grade separation in the City of Industry at the Nogales Street crossing of the Union Pacific Railroad (UPRR) Los Angeles Subdivision tracks and widen Gale Avenue/Walnut Drive at Nogales Street. The grade separation would be accomplished by depressing Nogales Street below the existing UPRR tracks. The Gale Avenue/Walnut Drive widening portion of the Proposed Project would widen 0.83-mile segment of Gale Avenue/Walnut Drive (a 0.36-mile segment of Gale Avenue and a 0.47-mile segment of Walnut Drive) by 16 to 18 feet (8 to 9 feet on either side), from its intersection with Nogales Street, creating a four-lane road (two lanes in each direction). The Proposed Project would be implemented by the Alameda Corridor-East Construction Authority (ACE).

Determination

This Mitigated Negative Declaration (MND) is included to give notice to interested agencies and the public that it is the Department's intent to adopt an MND for the Proposed Project. This does not mean that the Department's decision regarding the Proposed Project is final. This MND is subject to modification based on comments received by interested agencies and the public.

ACE has prepared an Initial Study/Environmental Assessment (IS/EA). On the basis of this study, it has determined that the Proposed Project will:

1) Have no effect on:
- Fault Rupture and Seismicity
- Hazards and Hazardous Materials
- Wetlands
- Operational Noise
- Construction and Operational Vibration
- Construction and Operational Air Quality
- Historic Resources
- Visual Resources
- Land Use
- Environmental Justice
- Operational Traffic and Transportation

2) Have no adverse effects on the following environmental resources after implementation of the following mitigation measures:
- Topography and Geology
  - A Phase II Environmental Site Assessment (ESA) shall be performed prior to construction, which includes a soil analysis. The Proposed Project shall comply with all recommendations of the Phase II ESA.
  - Expansive soils shall not be used for structural or permeable backfill.
  - Appropriate geotechnical design techniques shall be implemented to address the potential for seismically induced ground liquefaction and settlement.

  - Design of the Proposed Project shall incorporate current seismic design standards, as guided by the County of Los Angeles and the Department, to withstand seismic ground shaking that would result from a maximum credible earthquake.
  - Standard erosion control Best Management Practices (BMPs) shall be used to minimize erosion during construction. Retaining walls or slopes with appropriate vegetation shall be constructed for long-term slope stabilization. Where appropriate, erosion prevention planting shall be used in conjunction with a geofabric.
- Liquefaction
  - The Proposed Project shall comply with the Uniform Building Code regarding liquefaction and all Caltrans requirements for constructing roadways in liquefaction-prone areas.
- Hazards and Hazardous Materials during Construction
  - A Phase II ESA shall be performed prior to construction, which will further characterize hazardous waste potential at the site, including the potential for encountering contaminated groundwater and/or aerially deposited lead. The Proposed Project shall follow the recommendations of a Phase II ESA.
  - The following plans shall be prepared and implemented prior to construction: health and safety plan, waste management plan, sampling and analysis plan, and a work plan for the remediation of any hazardous wastes encountered.
  - The work plan shall include such measures as removal, on-site treatment (if necessary), and safe transport of contaminated soils and materials to approved hazardous materials disposal sites.
- Biological Resources
  - Biological surveys shall be conducted prior to the pruning and/or removal of any trees in order to identify any potential impacts to nesting of migratory birds.
- Waterways and Hydrology
  - During construction of the Nogales Street grade separation, temporary dewatering systems (sump pump and sedimentation tank) shall be utilized to remove minor amounts of groundwater.
  - Design and construction of the Nogales Street grade separation structure shall include several features to prevent long-term water infiltration and subsequent pumping of ground water. These measures shall include at a minimum, but not be limited to, the following:
    - High-strength, low-permeability concrete shall be used for retaining walls and pavements;
    - Pavement and retaining wall systems shall be designed for hydrostatic lateral and uplift forces;
    - Dewatering and drainage facilities that remove rainfall draining into the depressed roadway. This system shall be connected to adequate drainage channels/storm drains to remove the water from the area; and,
    - Pump station to avoid flooding during strong storm events.
- Water Quality
  - BMPs as required by the Clean Water Act through the National Pollutant Discharge Elimination System (NPDES) permit and Pollution Prevention Plan (SWPPP) shall be implemented.
  - Contaminated groundwater encountered during construction of the Proposed Project shall be disposed of in accordance with federal and State regulations.
  - A SWPPP shall be prepared and would identify construction-period BMPs to reduce water quality impacts.
- Archeological and Paleontological Resources
  - In the event that archaeological resources are encountered during the course of earthwork activities associated with the Proposed Project, construction activities shall temporarily cease until the archaeological resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist. ACE shall comply with all applicable federal, State, and

local laws and guidelines regarding treatment of previously undiscovered archaeological resources.

- Where excavation is expected to extend below a depth of five feet below the surface, paleontological field monitoring shall be initiated.
- Sediments yielding remains of marine or terrestrial vertebrates shall be screened in the field to determine the potential for the recovery of significant resources and the efficacy of more detailed sampling. Sediments yielding invertebrate remains shall be screened in the field, and sampled only in those cases where significant data are likely to be yielded.
- If significant fossils are recovered, the following measures shall be taken:
  - Stabilization, documentation and reburial of significant resources that cannot safely be recovered or otherwise preserved (e.g., avoided).
  - Preparation of recovered significant paleontologic resources to a point of identification and permanent preservation, including stabilization of large remains and screen washing of fossiliferous sediments to recover significant microfossil remains.
  - Preservation and curation of recovered significant paleontologic resources at a qualified professional repository such as the San Bernardino County Museum.

- Displacement
  - ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial/industrial businesses.
  - A Relocation Plan will be developed for the displaced businesses that shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. In cases where relocation will be necessary for right-of-way acquisition, a decision on relocation will be reviewed with each business owner to ensure that they are aware of all of the opportunities. Suitable facilities for relocation existing in the general area will be sought.
- Utilities
  - ACE will work with affected utility companies to make use of available right-of-way, as necessary. To the extent feasible, relocation of utilities will be scheduled to either precede construction or occur simultaneously. Any disruptions to service would be temporary and intermittent in nature and would affect small pockets of customers, each of whom would be notified in advance.
- Public Safety
  - An approved health and safety plan shall be required to be in effect prior to construction to address any hazardous materials handling during construction activities.
- Construction Noise
  - ~~A noise blanket shall be used to reduce the increased noise level during the operation of the detour route during construction. At a minimum, the noise blanket shall be ten feet tall and capable of reducing noise levels by 14 dBA. The noise blanket shall be installed alongside the Santana High School property that faces Otterbein Avenue where there are structures present. The noise blanket barrier shall also be utilized at the Islamic Center of San Gabriel Valley along the side that faces Walnut Drive.~~
  - Equipment shall be inspected and noise tested to ensure that all equipment on the construction site is in good condition and effectively muffled.
  - A community liaison shall be used to keep residents and businesses informed about construction plans so they can plan around periods of particularly high noise levels.
  - All construction shall be performed in a reasonable manner to minimize noise. Where practical, the contractor shall select construction processes and techniques that create reduced noise levels.

Examples include mixing concrete off-site instead of on-site and using hydraulic tools instead of pneumatic impact tools.

- Equipment with effective mufflers shall be used. Diesel motors are often the major noise source on construction sites. Contractors shall employ equipment fitted with the most effective commercially available mufflers.
- All construction shall be performed in a manner to maintain noise levels below specific limits at noise sensitive land uses.
- Noise monitoring shall be performed during construction to demonstrate compliance with the noise limits.
- Construction activities shall be limited during evening, nighttime, weekend, and holiday periods.
- Haul routes shall be selected that minimize intrusion to residential areas.

- Construction Traffic
  - ACE shall work directly with the City of Industry, the County of Los Angeles, and Caltrans to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment.
  - ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
  - Bridge construction that requires a street closure shall be scheduled so as to keep the closure time down to minimum.
  - ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
  - ACE shall notify local businesses in advance of major proposed construction activities and road closures.
  - Contractors shall prepare and implement traffic handling plans approved by the City of Industry, the County of Los Angeles, and Caltrans. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
  - ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.
  - ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street.

Rick Richmond
Chief Executive Officer
Alameda Corridor-East Construction Authority

July 14, 2009
Date

PREFACE

As a result of the comments received during the public comment period regarding the proposed Otterbein Avenue detour route, a new detour route has been proposed. The new detour route would be located west of the Nogales Street/Gale Avenue intersection. The new route will incorporate the existing Charlie Road north of the UPRR tracks and create a new roadway south of the UPRR tracks. The detour route from north to south would be: San Jose Avenue to existing Charlie Road to Railroad Street across the UPRR track to the New Charlie Road to Gale Avenue. The temporary New Charlie Road and the at-grade crossing at the UPRR tracks would be removed after completion of the Nogales Street grade separation.

The complete analysis of this intersection is presented in Section 5 Comments and Responses. In the main analysis, all text regarding the analysis of the Otterbein Avenue detour route is marked by ~~strikethrough text~~. Any additional text relating to the Charlie Road detour route in the main analysis is shown by *underlined italics*. Graphics that showed the Otterbein Avenue detour route have been modified or deleted. All modified graphics are located in Section 5 Comments and Responses.

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1.0 PROPOSED PROJECT

1.1 INTRODUCTION

The Alameda Corridor-East Construction Authority (ACE), in coordination with the City of Industry and the County of Los Angeles Department of Public Works (LACDPW), proposes to relieve traffic delays and increase safety by constructing a grade separation at the intersection of Nogales Street and the Union Pacific Railroad (UPRR) Los Angeles Subdivision tracks in the City of Industry. Generally, the purpose of the Nogales Street grade separation is to improve the safety of the Nogales Street rail crossing, as well as reducing levels of noise and air emissions. The Nogales Street grade separation is also being implemented as a way to eliminate traffic delays due to trains passing. The Nogales Street grade separation is part of a program of grade separation projects being constructed in the San Gabriel Valley by ACE to relieve congestion and improve air quality. The purpose and need for the Nogales Street grade separation has been investigated as part of the overall ACE program. Accordingly, a brief description of the background on the ACE program is included to address the purpose and need for the Proposed Project.

To improve motorist safety and reduce traffic delays along the vehicular detour route during construction as well as in the immediate vicinity of the Proposed Project, ACE is proposing to widen a 0.83-mile long segment of Gale Avenue/Walnut Drive at its intersection with Nogales Street. Gale Avenue/Walnut Drive is one of four primary east-west arterials in the City of Industry and parallels the Pomona Freeway (SR 60). The majority of the 7.5-mile Gale Avenue/Walnut Drive roadway has two lanes in either direction. However, the 0.83-mile-long segment proposed for widening is the only remaining portion of Gale Avenue/Walnut Drive that has one lane in each direction. During periods of heavy congestion on SR 60, motorists often use Gale Avenue/Walnut Drive as an alternate route, resulting in added traffic congestion through the Project area. The purpose of the proposed widening is to alleviate traffic congestion while maintaining access to adjacent businesses along both sides of Nogales Street and Gale Avenue/Walnut Drive.

1.1.1 Background on the ACE Program

Increases in vehicle and rail traffic in the Los Angeles region have also increased traffic delays and associated incidents at railroad grade crossings throughout the San Gabriel Valley over the last decade. Expected regional and national economic growth, together with growth in international trade, will result in increases in rail traffic through the San Gabriel Valley by an estimated 67 percent by 2020.[2] During the same period, vehicular traffic is expected to increase by 40 percent in the San Gabriel Valley. As a result of these trends, crossing gate blockage time is expected to increase by 77 percent for 55 crossings in the San Gabriel Valley, resulting in dramatic increases in vehicle delays at these railroad grade crossings.

In response to these anticipated future conditions, the San Gabriel Valley Council of Governments (SGVCOG) adopted the ACE Program, including a "Jump Start" program (installation of traffic control devices and safety improvements), and various grade separations, including the Nogales Street grade separation. These improvements are located along both of the UPRR lines (Alhambra Subdivision and Los Angeles Subdivision) in the San Gabriel Valley between downtown Los Angeles and the Los Angeles County line, a distance of approximately 35 miles. **Figure 1.1-1** shows the location of the Nogales Street grade separation and the segment of Gale Avenue/Walnut Drive proposed for widening.

[2]Korve Engineering, *San Gabriel Valley Crossing Study*, January 1997.

Graphic Deleted
Refer to Section 3
Outreach and Comments
for Revised Graphic

PROPOSED GRADE SEPARATION

Detour during construction

SEGMENT FOR PROPOSED WIDENING

E SAN JOSE AVE
S CHARLIE RD
E RAILROAD ST
UNION PACIFIC RR
OTTERBEIN AVE
E GALE AVE
COINER CT
60
ADDIS ST
E HERITAGE PL
E DISCOVERY PL
E LEGACY PL
BOLD ST
WELL ST
LARNE ST
CEDAR
PINE
WILLOW
TROT AVE
CAMERSONS ST
ELECTRA AVE
E SEARS AVE
E DALSETTA ST
MAPLE
CYPRESS
E RIO SECO DR
S NOGALES ST
S OTTERBEIN AVE
COLIMA RD
GREYHALL ST
BLUFFWOOD ST
N

LEGEND:

Project Area

SOURCE: TAHA, 2007

taha

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.1-1

PROJECT LOCATION

1.1.2 Relation of this Document to Environmental Analysis of Other Grade Separation Projects

Environmental impacts of the Nogales Street grade separation and the Gale Avenue/Walnut Drive widening project (together "Proposed Project") are evaluated in this document. The Proposed Project has logical termini and specific boundaries, as discussed in Section 1.4 Proposed Project. Project construction limits do not overlap with those of other grade separations. It has independent utility and would not preclude consideration of other grade separation project components. The closest grade separation project to the Nogales Street grade separation (Los Angeles Subdivision) is the Nogales Street grade separation project (Alhambra Subdivision), which is located approximately 0.37 miles north of the Project area. Because the construction of the Nogales Street grade separation project (Alhambra Subdivision) has been completed, no collective adverse impacts would result.

1.2 PURPOSE AND NEED

The City of Industry (City), at approximately 12 square miles, is one of the largest geographic cities in Los Angeles County. The City is nearly fully developed and many of the City's arterials operate at Levels of Service (LOS) D or F. Trucks make up a considerable part of the overall traffic within the City, in large part due to the industrial nature of the area. The City's traffic circulation patterns are also impacted significantly by railroad operations due to the presence of two major east-west railroad corridors spanning the length of the City (approximately 15 miles) that include both the UPRR Alhambra and Los Angeles Subdivisions. In addition, there is a railroad yard along the Alhambra Subdivision at Azusa Avenue, south of Valley Boulevard.

The Nogales Street railroad crossing operates at LOS D during the AM peak hour and at LOS F during the PM peak hour. Intersections operating at LOS D experience fair traffic conditions where delays may be substantial during portions of the peak hour traffic (i.e., rush hour). Intersections operating at LOS F experience failing traffic conditions where backups from nearby intersections or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches, creating tremendous delays with continuously increasing queue lengths. Traffic volumes at LOS F intersections exceed the capacity of the roadway. Delays of up to 30 minutes have been observed at this railroad crossing, with a projected increase in wait times by the year 2020 without the Proposed Project.

The Gale Avenue/Walnut Drive/Nogales Street intersection currently operates at LOS C and LOS F during the AM and PM peak hours, respectively. As part of the Proposed Project, the eastbound approach to the intersection would be widened by approximately 16 to 18 feet and reconfigured to accommodate two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. The westbound approach would also be widened by approximately 16 to 18 feet and be reconfigured to accommodate two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The reconfiguration of lanes would improve the LOS at the Nogales Street intersection, resulting in a benefit for the Project area.

The primary purpose of the Proposed Project is to improve transportation and traffic on a regional and local level. To this end, Nogales Street, one of the City's and the region's main north-south arterials, which carries approximately 50,000 vehicles per day, would be depressed beneath the existing UPRR tracks to allow the concurrent flow of traffic and trains. Nogales Street is a major arterial that traverses various cities and communities, including West Covina, City of Industry, and Rowland Heights, and provides direct regional linkage to SR 60 south of the Project area.

The primary objective for the widening of Gale Avenue/Walnut Drive and its intersection with Nogales Street is to relieve traffic congestion. This would be accomplished by transforming this arterial road to a

four-lane roadway (two lanes in each direction). As an additional benefit, reducing traffic delays on Gale Avenue/Walnut Drive would reduce air pollutants released in the area.

In addition to congestion relief, the air quality in the area would be significantly improved by the elimination of idling cars at the railroad crossing. The Proposed Project would also eliminate a safety hazard caused by vehicles driving around the lowering crossing arms as a train approaches. Finally, noise impacts due to train horns would be reduced with implementation of a grade separation.

1.3 EXISTING FACILITIES AND SETTINGS

At present, Nogales Street crosses the UPRR tracks at grade; existing facilities at this location include programmed rail arms, warning bells and flashing warning lights (**Figure 1.3-1**). Trains are required to sound warning horns one-quarter mile prior to grade crossings. The Federal Railroad Administration (FRA) requires warning horns to create a minimum sound level of 96 dBA at 100 feet.

Approximately 0.1 mile south of the UPRR tracks, Gale Avenue/Walnut Drive crosses Nogales Street and runs in an east-west direction paralleling SR 60 and is the singular intersection between the railroad crossing and the westbound on- and off-ramps for SR 60 to the south. This roadway is named Gale Avenue on the west side of Nogales Street and Walnut Drive on the east side.

Gale Avenue/Walnut Drive is one of four primary east-west arterials in the City of Industry and is the closest to SR 60. During periods of heavy congestion on SR 60, motorists often use Gale Avenue/Walnut Drive as an alternate route, resulting in added traffic congestion through the Project area. The majority of the 7.5-mile Gale Avenue/Walnut Drive roadway has two lanes in either direction. However, the 0.83-mile-long segment proposed for widening is the only remaining portion of Gale Avenue/Walnut Drive that has one lane in each direction (**Figure 1.3-2**). This 0.83-mile long segment serves as a major frontage road, which distributes and collects traffic between SR 60 and the surrounding arterial and collector streets. It also provides direct and indirect access to numerous industrial and commercial businesses.

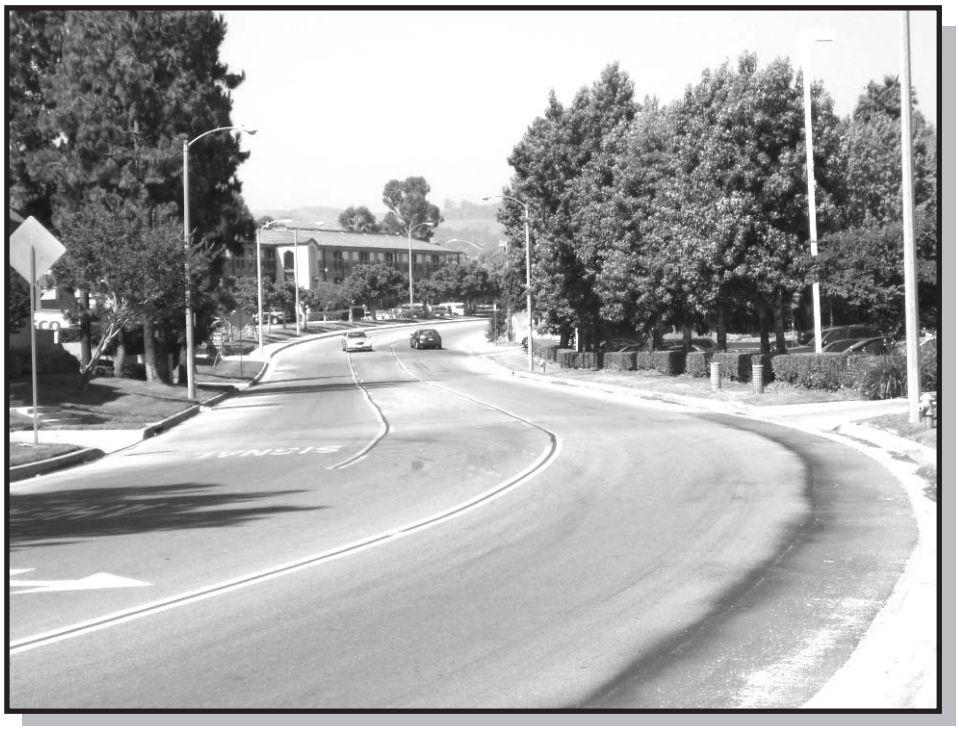
The Project area is highly urbanized and fully developed. Land uses along Gale Avenue/Walnut Drive consist primarily of commercial and retail uses. At the intersection of Gale Avenue/Walnut Drive and Nogales Street, there is vacant lot on the northeast corner, a gas station and a commercial/retail center on the northwest corner, a vacant lot on the southwest corner immediately north of SR 60 westbound on-ramp, and another gas station and storage facility on the southeast corner.

In addition to being heavily utilized by commuters, the 0.83-mile long segment of Gale Avenue/Walnut Drive proposed for widening serves as a primary commercial distribution route between Fullerton Road and Fairway Drive. Frontage properties include several major distribution centers, two shopping centers, and numerous commercial and retail businesses.

View of the Project Area (Nogales Street) during train pass-by with traffic queueing.

View of the Project Area (Nogales Street) without train pass-by.

SOURCE: TAHA, 2007



View of Gale Avenue immediately west of intersection with Nogales Street.

View of Walnut Drive immediately east of its intersection with Nogales Street.

SOURCE: TAHA, 2007

1.4 PROJECT DESCRIPTION

The Nogales Street grade separation portion of the Proposed Project (**Figures 1.4-1** through **1.4-9**) includes lowering a currently at-grade segment of Nogales Street, an existing six-lane roadway, under the UPRR Los Angeles Subdivision right-of-way (ROW). A railroad bridge would be constructed to accommodate the two existing tracks plus additional abutment width to allow for a future widening to accommodate a third track. Additional roadway improvements include street construction and widening, off-site modifications, retaining walls, storm drains, a pump station, sewer and utility relocations, traffic signals, street lighting, and landscaping. The Proposed Project would also include improvements on ~~Otterbein Avenue~~ and San Jose Avenue to provide a vehicular detour route during construction and include a temporary at-grade crossing of the UPRR tracks. ~~The cul-de-sacs at both ends of Otterbein Avenue would be removed for the duration of the grade separation construction to allow a north-south detour around Nogales Street. Once the construction of the grade separation is completed, Otterbein Avenue will be returned to a cul-de-sac.~~ *(Refer to Section 5 Comments and Responses for discussion of Charlie Road Detour.)* The Proposed Project would reconstruct portions of the UPRR track impacted by the bridge construction. A temporary two-track shoofly, approximately 3,000 feet in length, will be constructed to maintain rail operations during construction, along with railroad signal and concrete crossing panel work.

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would widen 0.83-mile segment of Gale Avenue/Walnut Drive (a 0.36-mile segment of Gale Avenue and a 0.47-mile segment of Walnut Drive) by 16 to 18 feet (8 to 9 feet on either side), from its intersection with Nogales Street, creating a four lane road (two lanes in each direction). The westbound approach to Nogales Street would be reconfigured to accommodate two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The eastbound approach would be reconfigured to accommodate two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Conceptual diagrams of the Gale Avenue/Walnut Drive widening are shown in **Figure 1.4-10**. Detailed engineering drawings are presented in **Figures 1.4-11** through **1.4-21**. To accommodate the widening of this 0.83-mile transportation corridor, the gas station on the northwest corner of the Gale Avenue and Nogales Street intersection would be displaced.

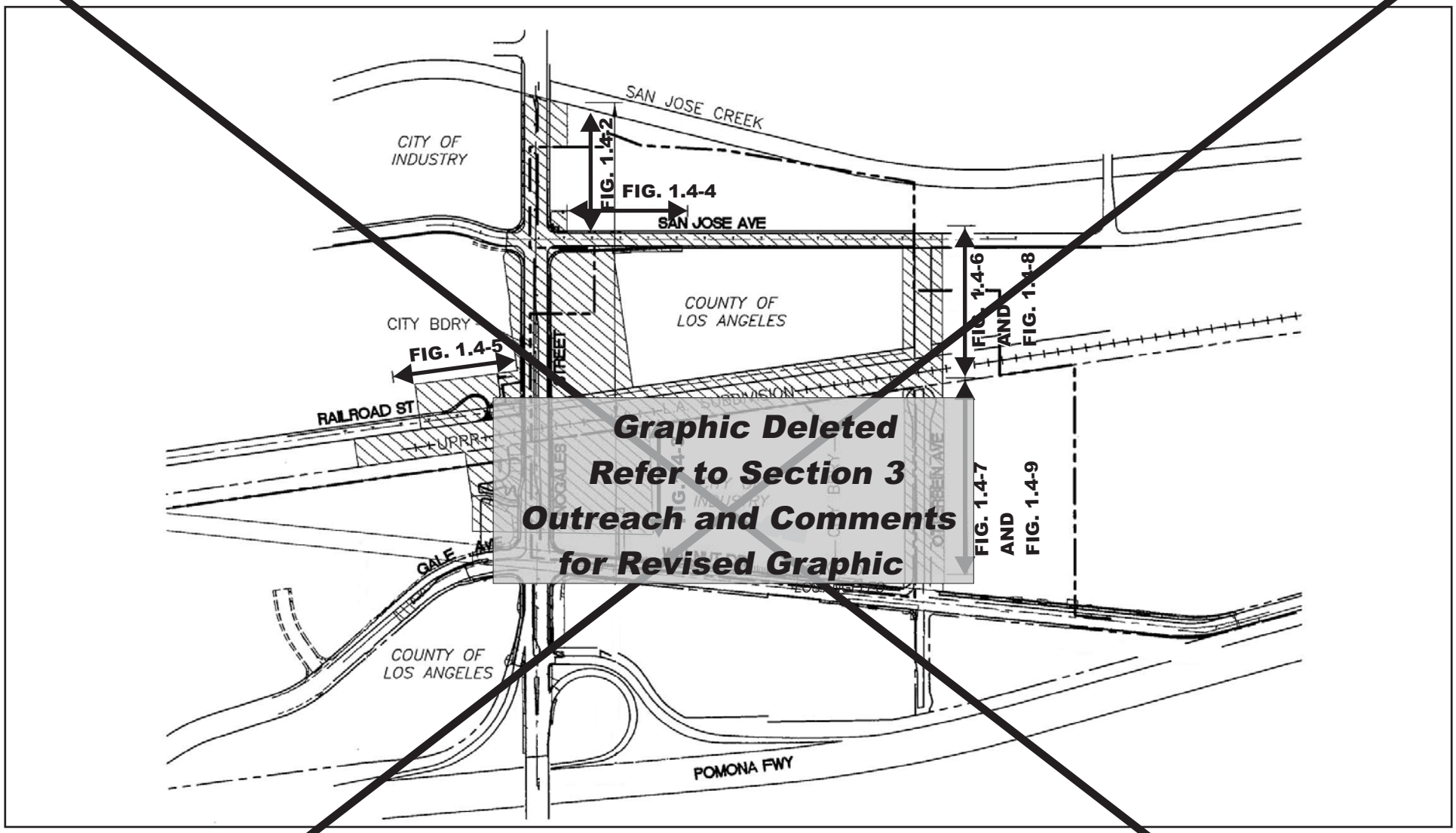
1.5 ALTERNATIVES ELIMINATED FROM FURTHER STUDIES

Five alternatives were considered for the Nogales Street grade separation portion of the Proposed Project. These include an underpass alternative (roadway lowered under the rail), an undercrossing alternative (rail lowered under the roadway), an overpass alternative (roadway elevated over the rail), an overcrossing (rail elevated over the roadway) and a combination of a partial underpass/overcrossing alternative (combination of lowering the roadway and elevating the rail). The overpass and overcrossing alternatives were eliminated from consideration because an elevated roadway or rail creates increased long-term noise and visual impacts that would adversely affect the community. The undercrossing alternative was eliminated because of the extensive reconstruction of the UPRR corridor that would be required coupled with loss of rail service to local businesses. The partial underpass/overcrossing alternative was eliminated from consideration because it is a more costly option than the roadway underpass alone and would be implemented only when necessary for engineering reasons. The alternative analysis for the Proposed Project determined that elevated tracks were not needed in conjunction with the roadway underpass to implement a roadway profile with a speed limit of 40 miles per hour (mph) on Nogales Street.

No feasible alternatives to the widening portion of the Proposed Project were evaluated.

1.6 PROJECT FUNDING AND PROGRAMMING

Funding for the Proposed Project will be provided by the Los Angeles Metropolitan Transportation Authority (Metro), the County of Los Angeles Department of Public Works, the City of Industry, federal funds acquired by ACE, State grade separation funds, and a contribution from the UPRR. Construction of the Nogales Street grade separation and Gale Avenue/Walnut Drive widening project is scheduled for completion by the year 2011. Construction of the grade separation could extend for a total of 24 months, and construction of the Gale Avenue/Walnut Drive widening could affect traffic flow for approximately six to nine months due to temporary lane closures.



LEGEND:

Nogales Street UPRR Los Angeles Subdivision Grade Separation Project Area

SOURCE: DMJM Harris, April 2005

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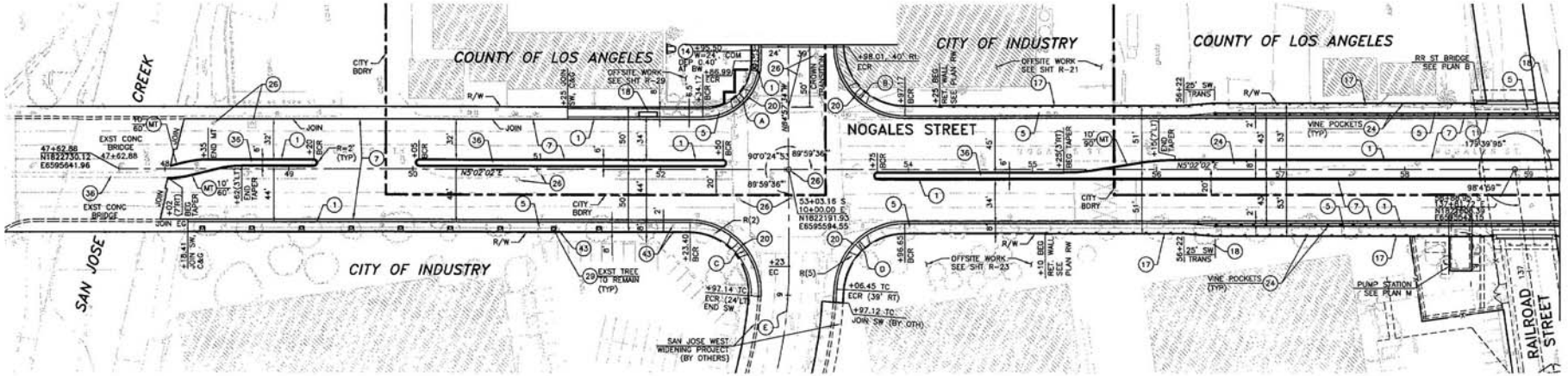
Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-1

PROPOSED NOGALES STREET
GRADE SEPARATION SITE PLAN



SOURCE: DMJM Harris, April 2005

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Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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FIGURE 1.4-2

NOGALES STREET GRADE SEPARATION - SHEET 1
NORTH SIDE IMPROVEMENTS

SOURCE: DMJM Harris, April 2005

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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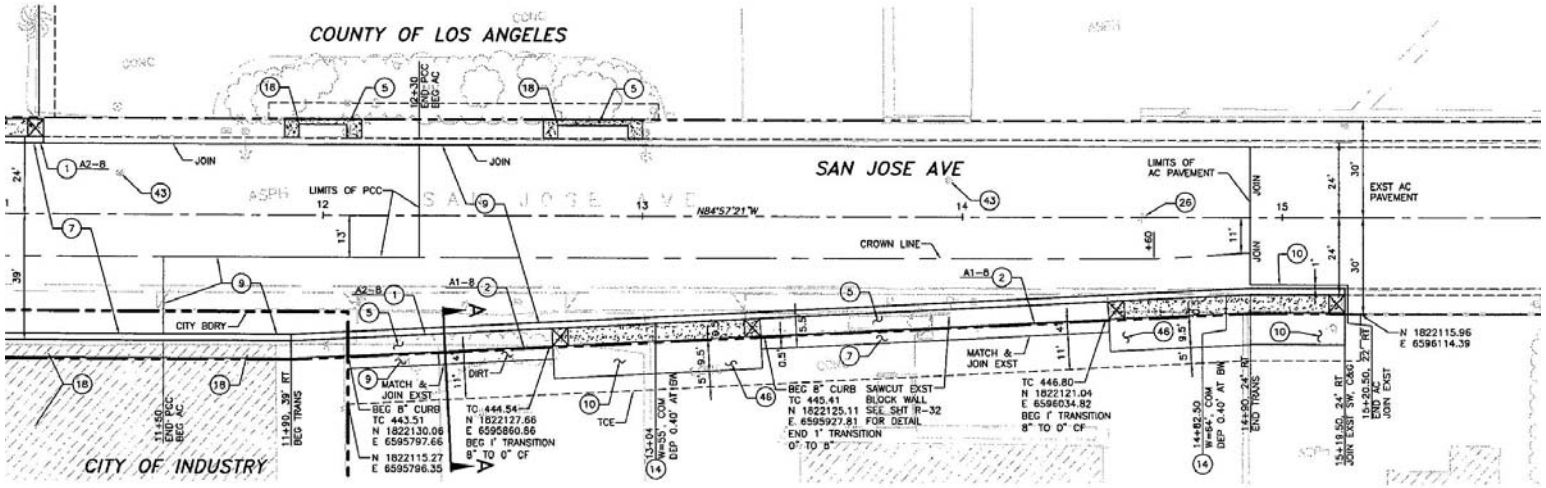
FIGURE 1.4-3

NOGALES STREET GRADE SEPARATION - SHEET 2
SOUTH SIDE IMPROVEMENTS



SOURCE: DMJM Harris, April 2005

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Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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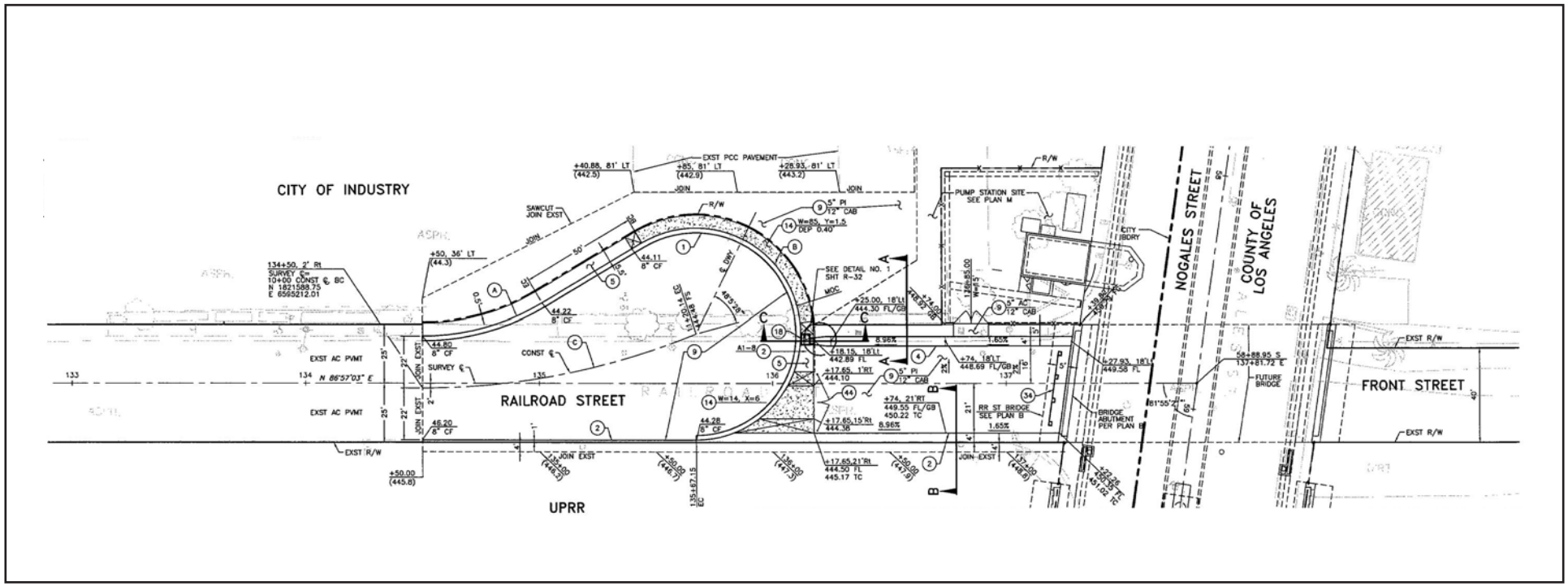
FIGURE 1.4-4

NOGALES STREET GRADE SEPARATION - SHEET 3
SAN JOSE AVENUE IMPROVEMENTS



SOURCE: DMJM Harris, April 2005

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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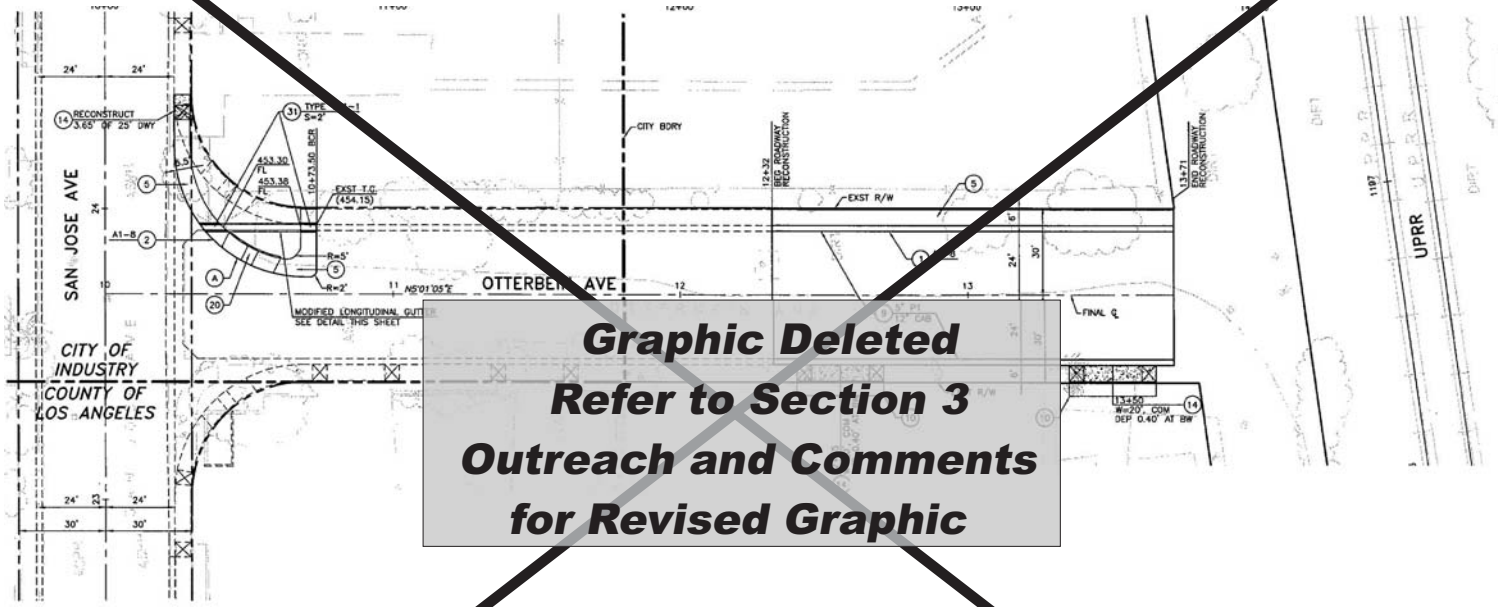
FIGURE 1.4-5

NOGALES STREET GRADE SEPARATION - SHEET 4
RAILROAD STREET IMPROVEMENTS



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Refer to Section 3
Outreach and Comments
for Revised Graphic

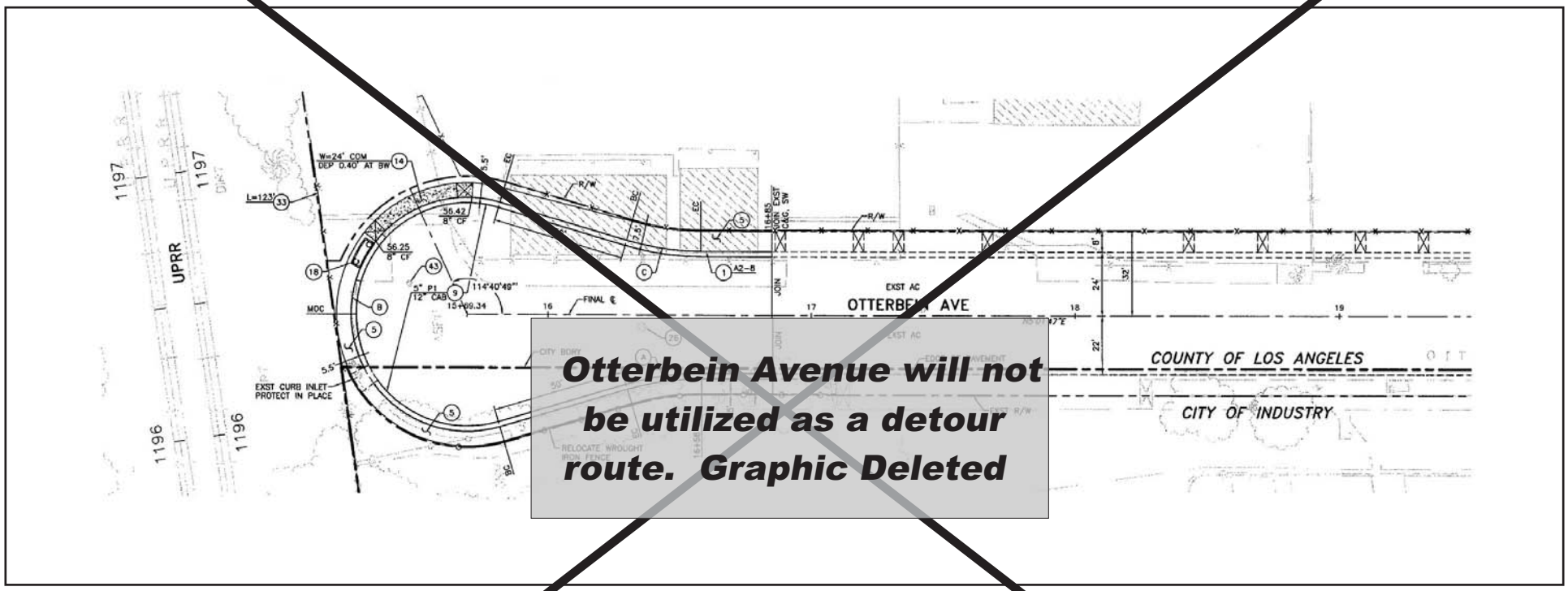
SOURCE: DMJM Harris, April 2005

N

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-6
NOGALES STREET GRADE SEPARATION - SHEET 5
OTTERBEIN AVENUE EXISTING CONFIGURATION
NORTH OF TRACKS



SOURCE: DMJM Harris, April 2005

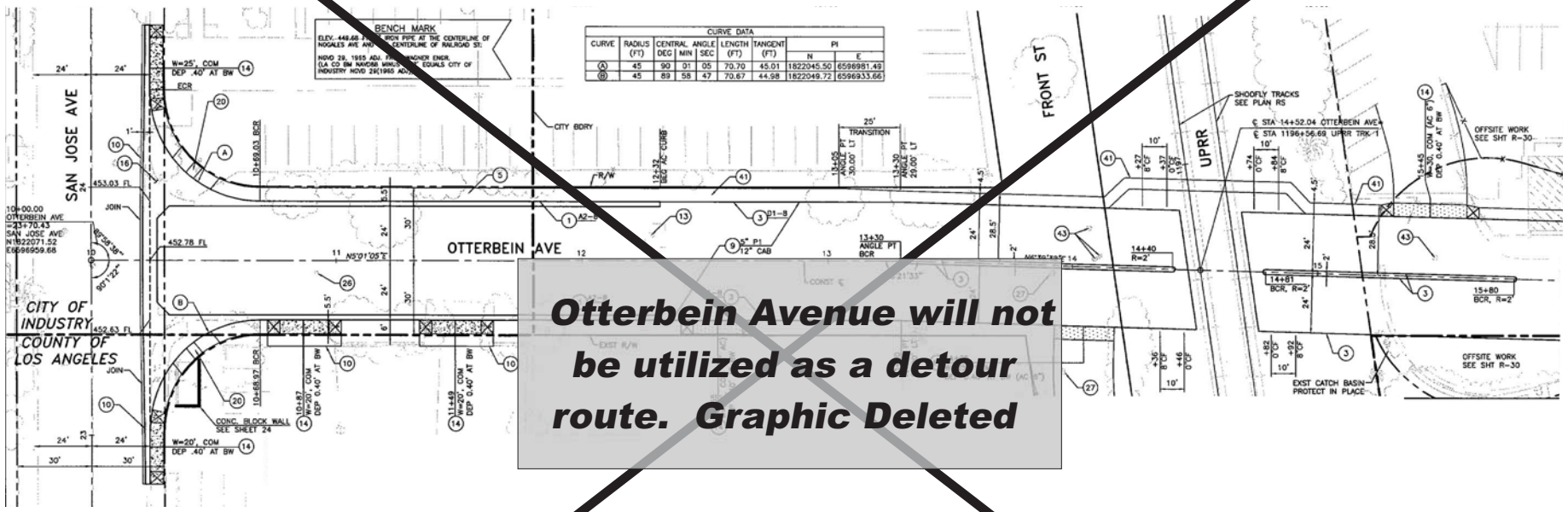
N

taha 2007-019

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-7
NOGALES STREET GRADE SEPARATION - SHEET 6
OTTERBEIN AVENUE EXISTING CONFIGURATION
SOUTH OF TRACKS



Otterbein Avenue will not be utilized as a detour route. Graphic Deleted

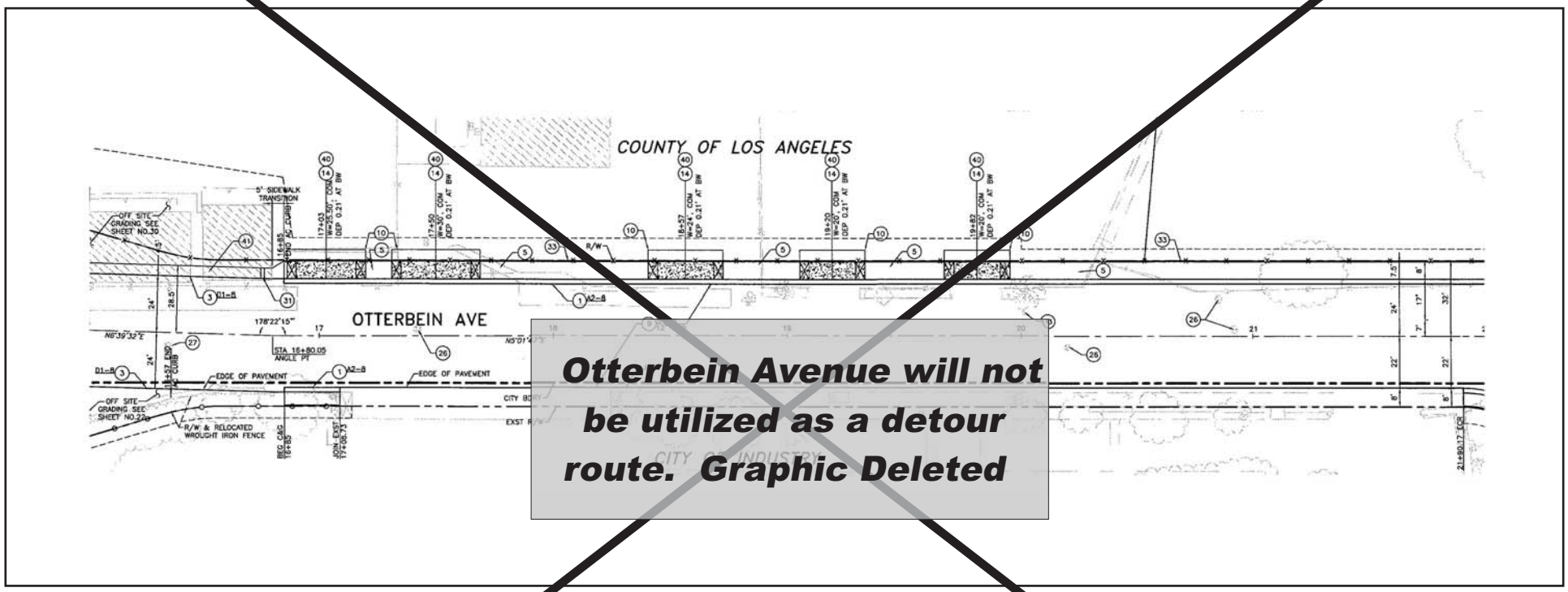
SOURCE: DMJM Harris, April 2005

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-8

NOGALES STREET GRADE SEPARATION - SHEET 7
OTTERBEIN AVENUE IMPROVEMENTS NORTH OF TRACKS



SOURCE: DMJM Harris, April 2005

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Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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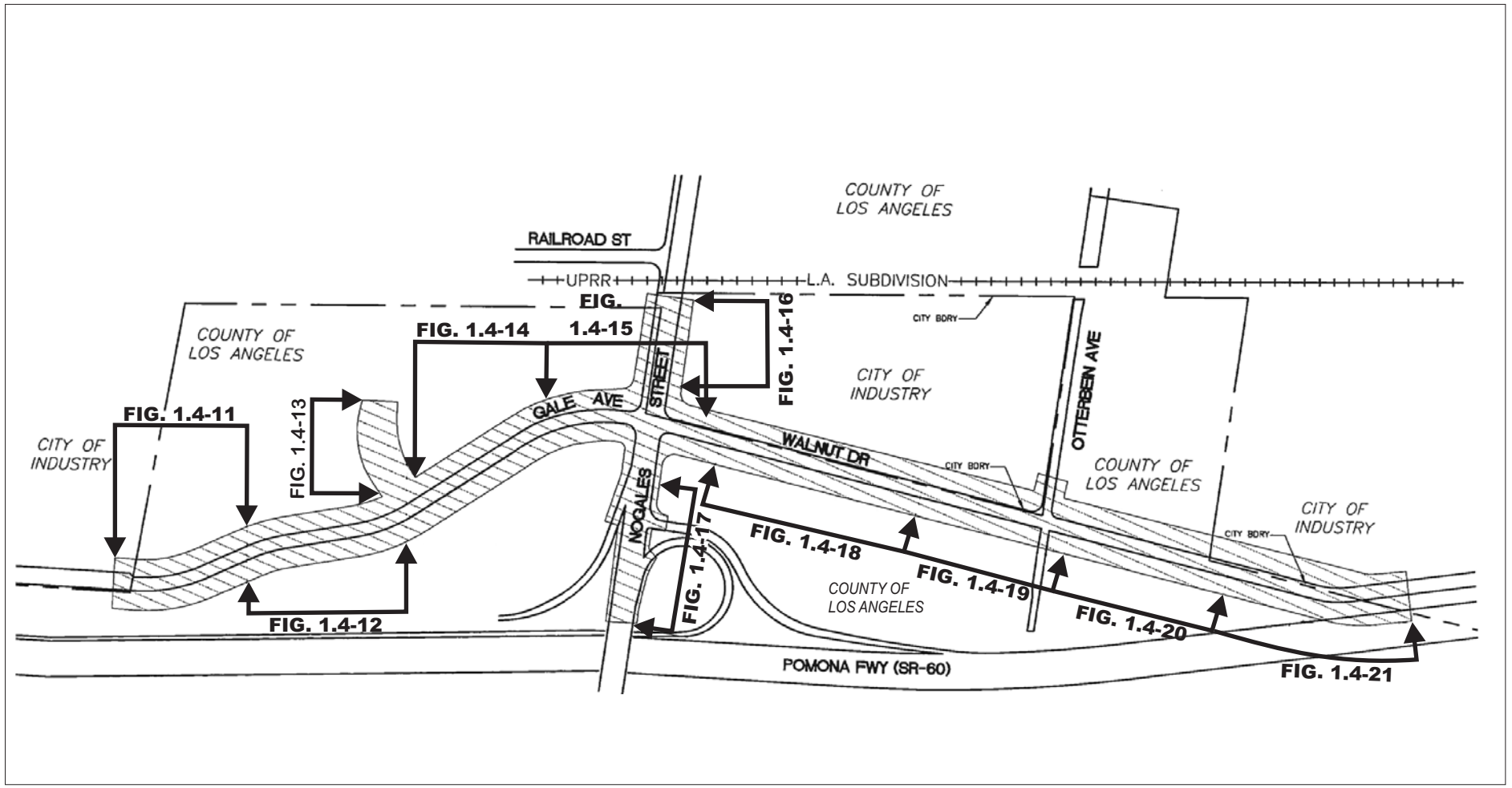
FIGURE 1.4-9

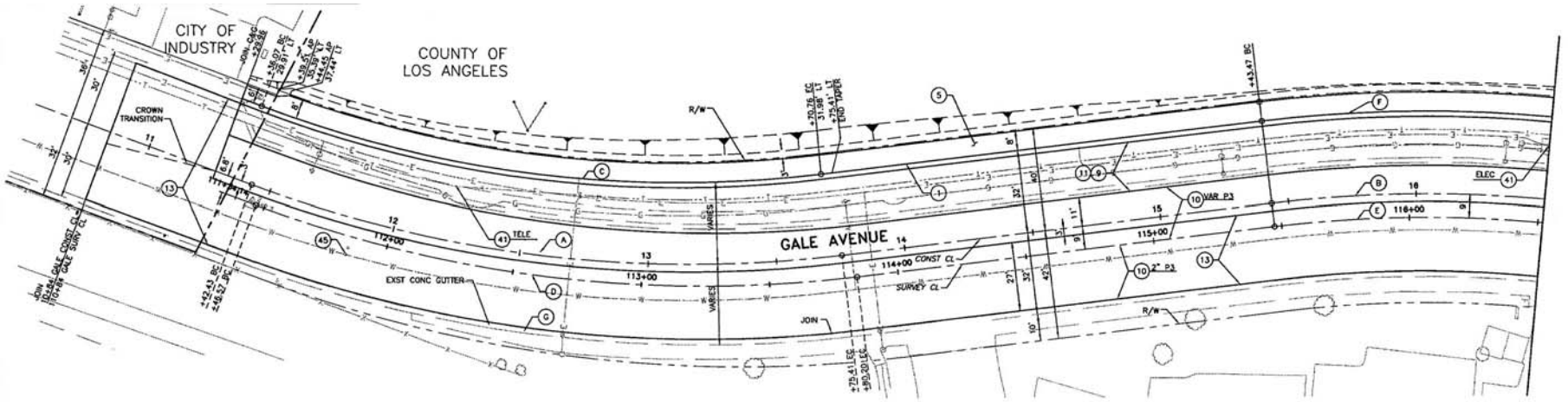
NOGALES STREET GRADE SEPARATION - SHEET 8
OTTERBEIN AVENUE IMPROVEMENTS SOUTH OF TRACKS



LEGEND:

Gale Avenue/Walnut Drive Widening Project Area

SOURCE: DMJM Harris, April 2006



SOURCE: DMJM Harris, April 2006

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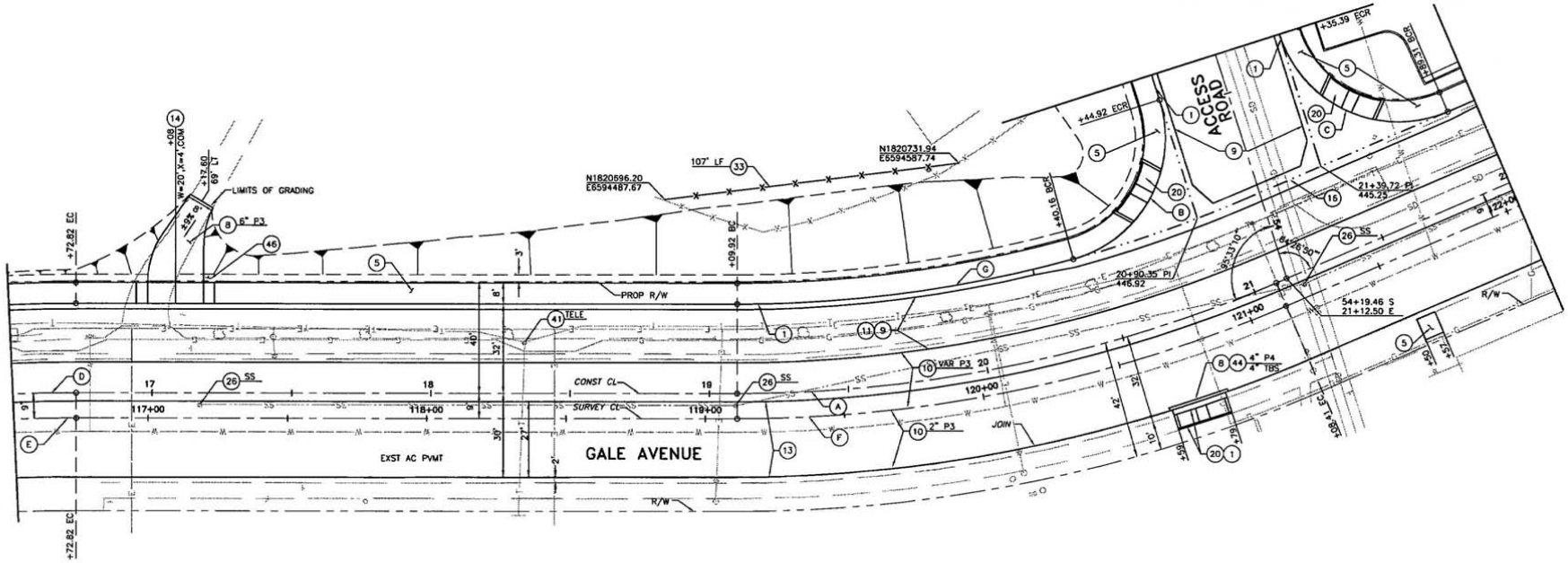
FIGURE 1.4-11

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 1
WESTERN END OF GALE AVENUE



SOURCE: DMJM Harris, April 2006

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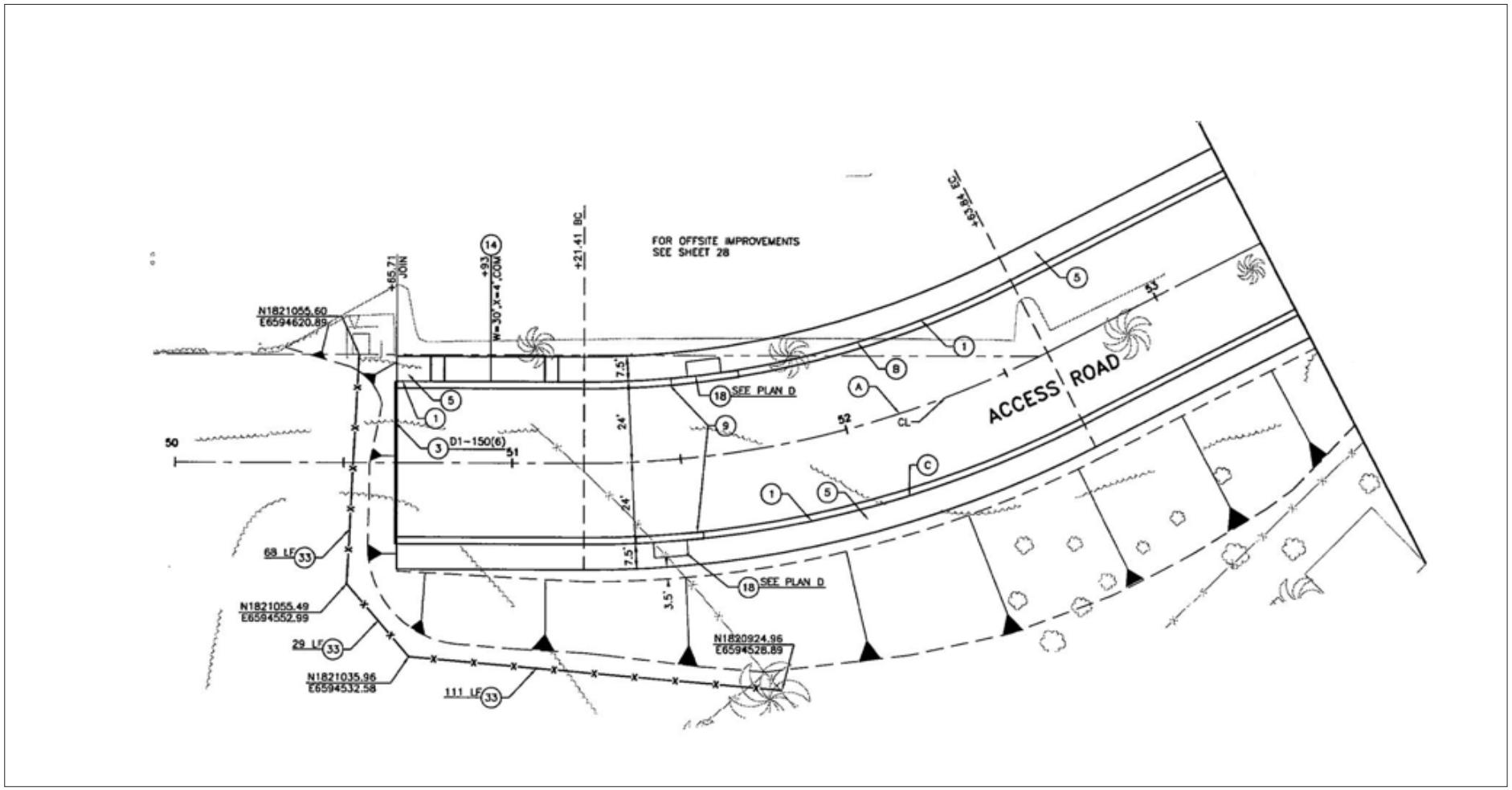
FIGURE 1.4-12

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 2
GALE AVENUE AT ACCESS ROAD



SOURCE: DMJM Harris, April 2006

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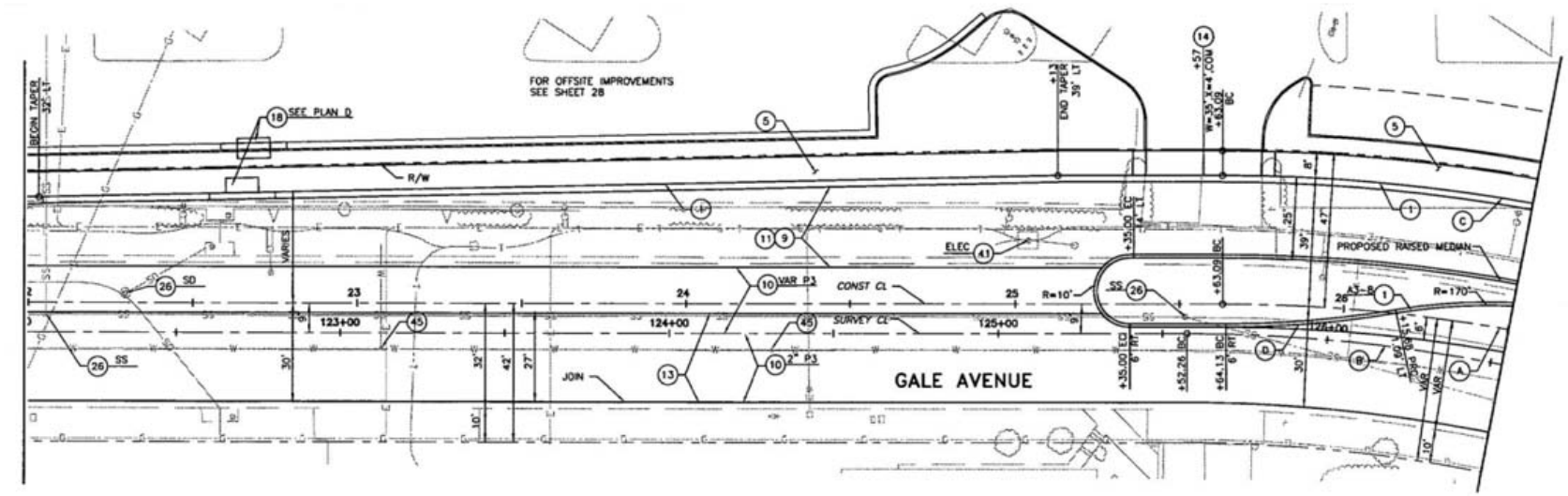
FIGURE 1.4-13

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 3
ACCESS ROAD



SOURCE: DMJM Harris, April 2006

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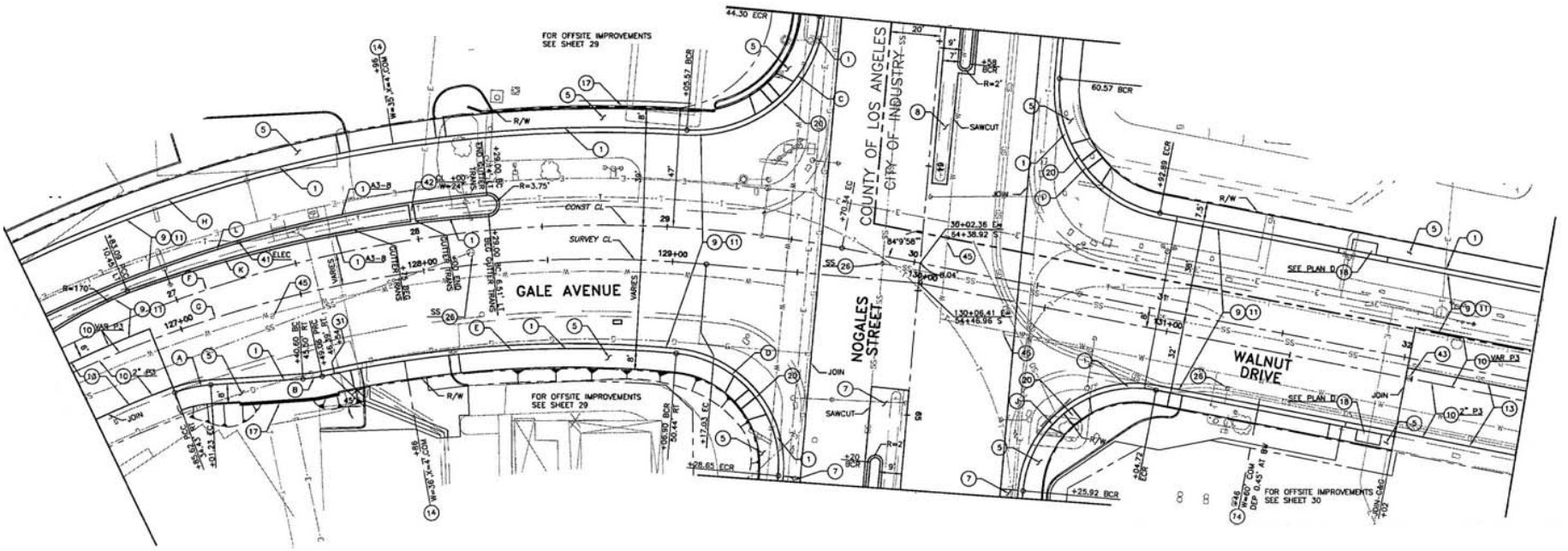
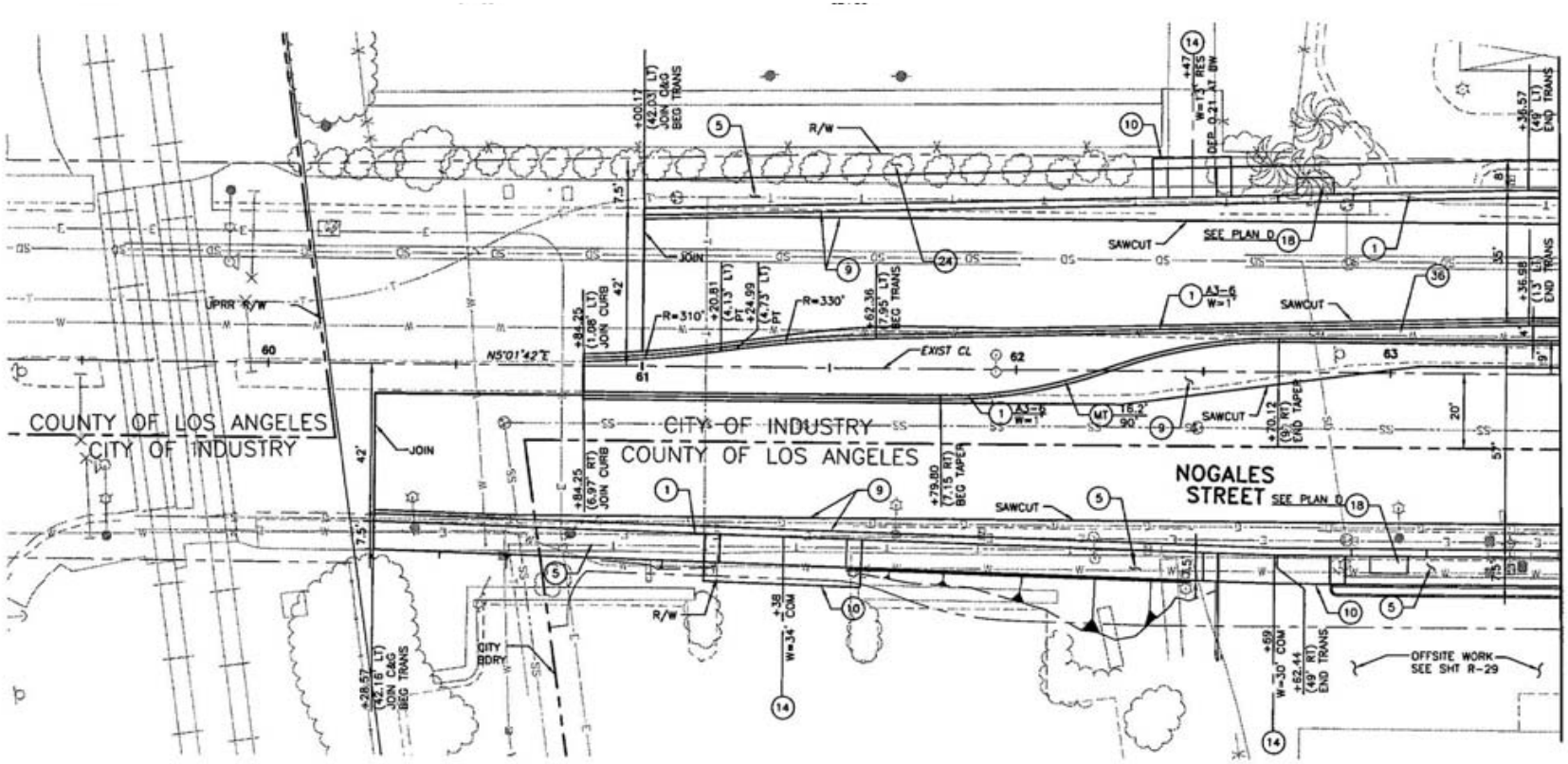
FIGURE 1.4-14

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 4
MIDDLE SECTION OF GALE AVENUE



SOURCE: DMJM Harris, April 2006

FIGURE 1.4-15
GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 5
INTERSECTION OF GALE AVENUE/WALNUT DRIVE AND NOGALES STREET



SOURCE: DMJM Harris, April 2006

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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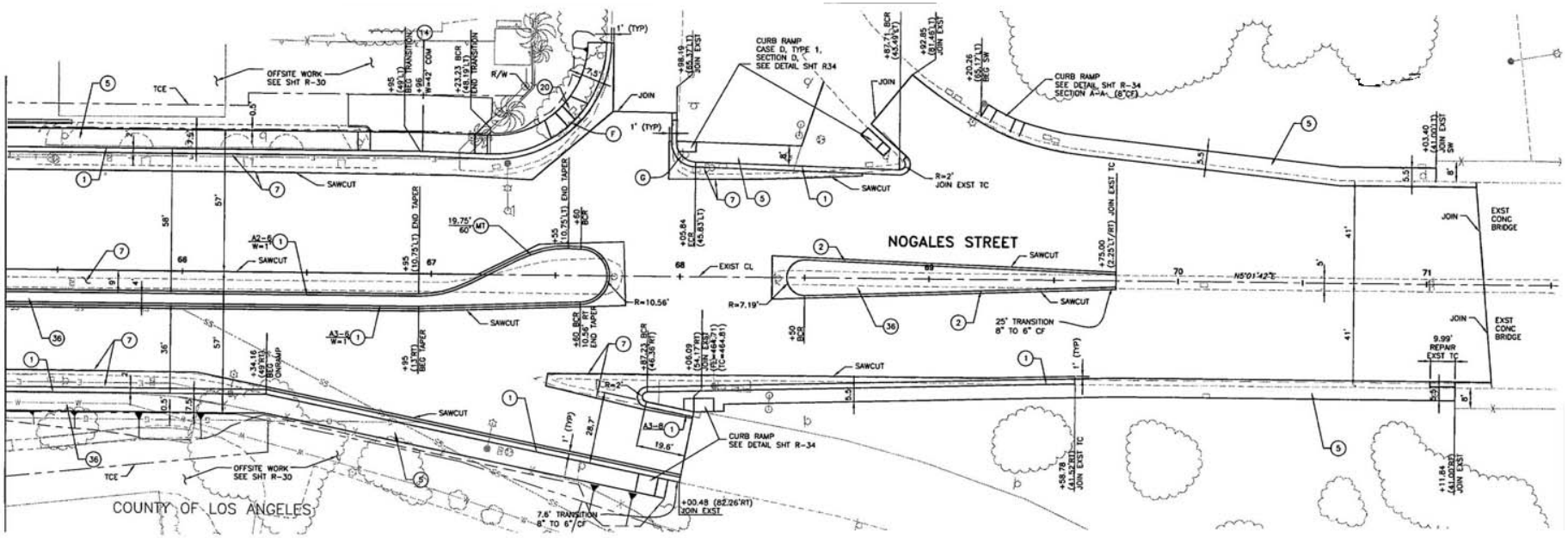
FIGURE 1.4-16

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 6
NOGALES STREET IMPROVEMENTS NORTH OF INTERSECTION



SOURCE: DMJM Harris, April 2006

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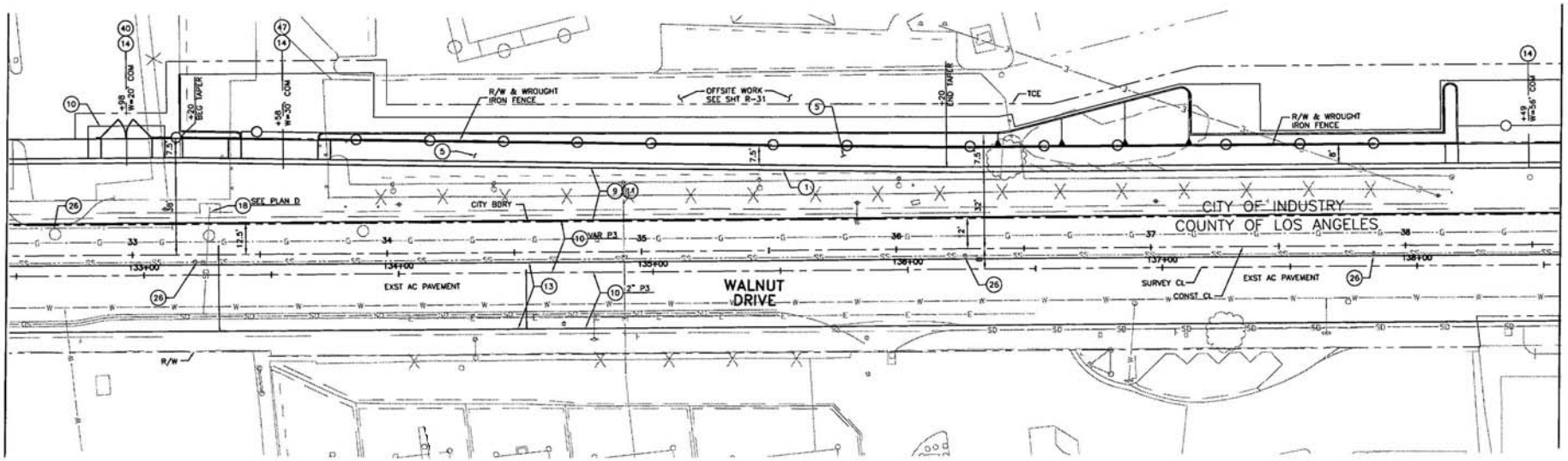
FIGURE 1.4-17

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 7
NOGALES STREET IMPROVEMENTS SOUTH OF INTERSECTION



SOURCE: DMJM Harris, April 2006

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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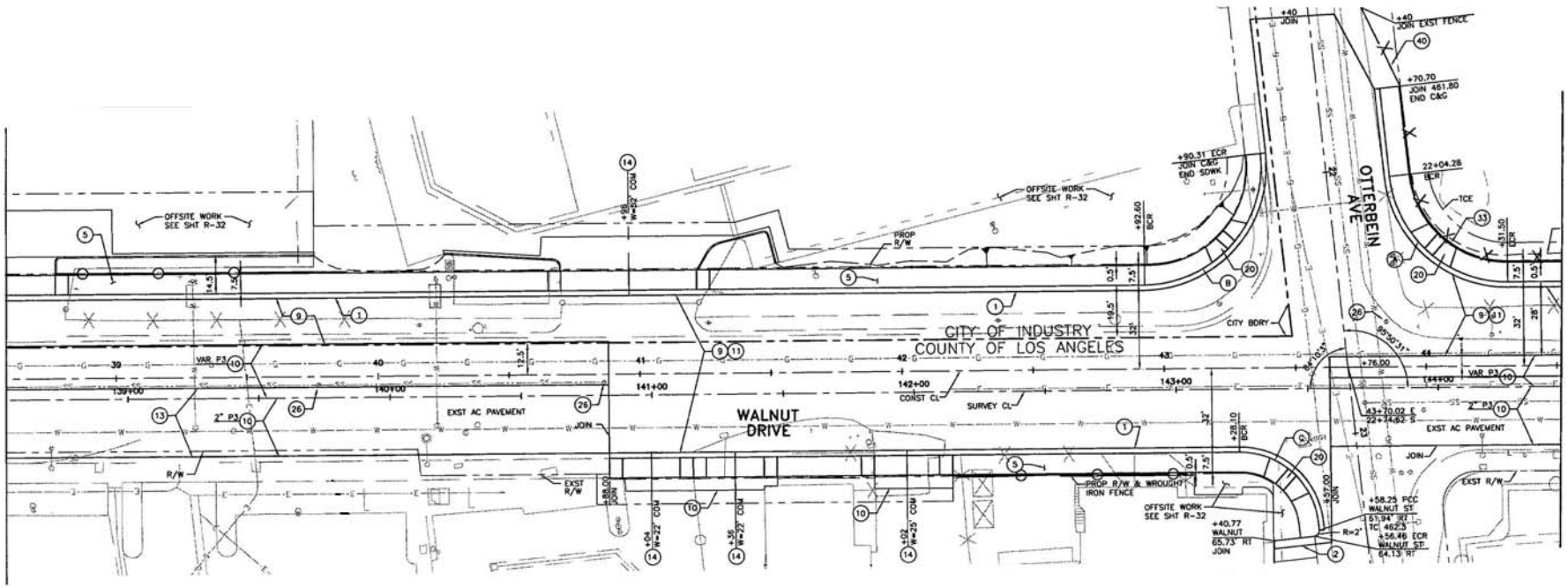
FIGURE 1.4-18

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 8
WALNUT DRIVE EAST OF NOGALES INTERSECTION



SOURCE: DMJM Harris, April 2006

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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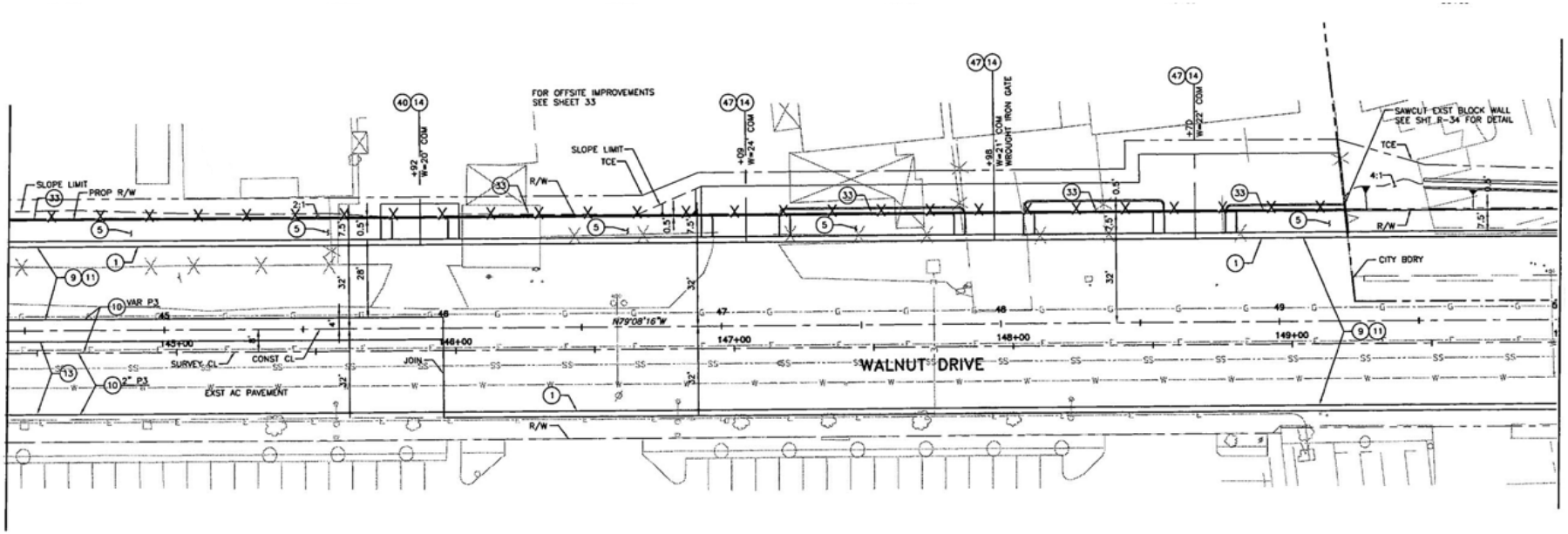
FIGURE 1.4-19

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 9
WALNUT DRIVE AT OTTERBEIN AVENUE



SOURCE: DMJM Harris, April 2006

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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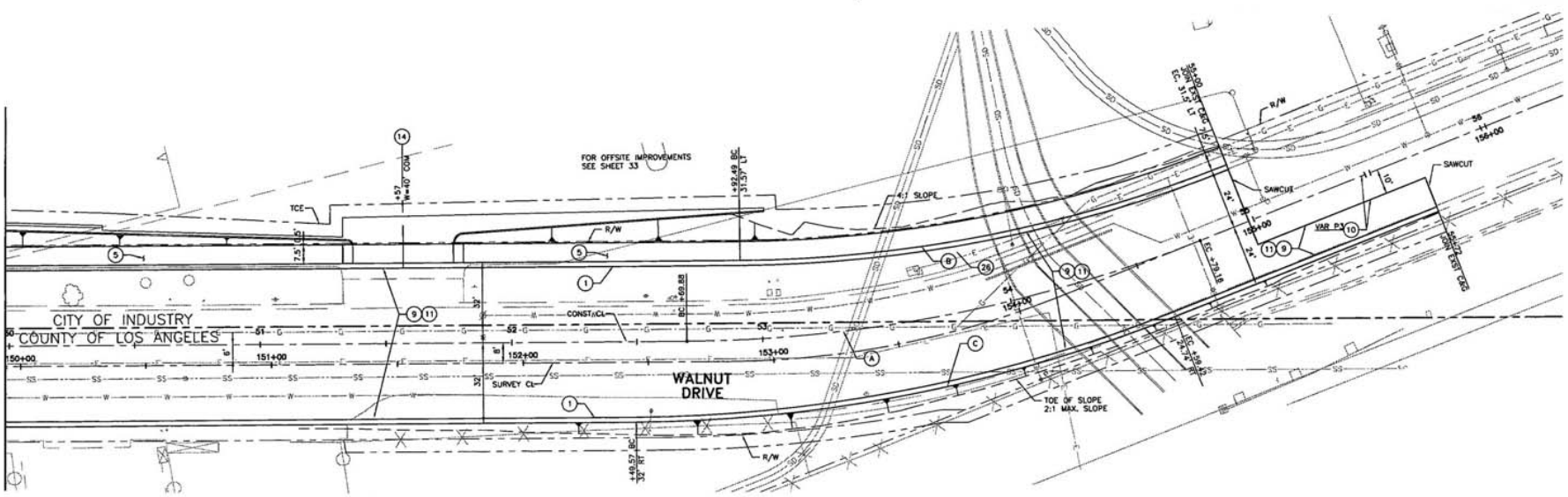
FIGURE 1.4-20

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 10
WALNUT DRIVE EAST OF OTTERBEIN AVENUE INTERSECTION



SOURCE: DMJM Harris, April 2006

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Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

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FIGURE 1.4-21

GALE AVENUE/WALNUT DRIVE WIDENING PROJECT - SHEET 11
EASTERN END OF WALNUT DRIVE WIDENING AREA

2.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

This chapter describes the existing settings and the environmental issues associated with the implementation of the Proposed Project. Although the grade separation and widening are part of the same Proposed Project for purposes of this IS/EA, the Nogales Street grade separation project is located approximately 300 feet to the north of the intersection of Nogales Street and Gale Avenue/Walnut Drive. As such, certain site-specific impacts may occur. Where the affected environment and environmental consequences are site-specific, the Nogales Street grade separation and the Gale Avenue/Walnut Drive widening projects are discussed separately.

2.1 HUMAN ENVIRONMENT

TOPICS FOUND NOT TO HAVE AN ADVERSE IMPACT

As part of the scoping and environmental analysis conducted for the project, the following environmental issues were considered, but no adverse impacts were identified: agricultural resources, recreation, growth, and public schools. Consequently, there is no further discussion regarding these issues in the document.

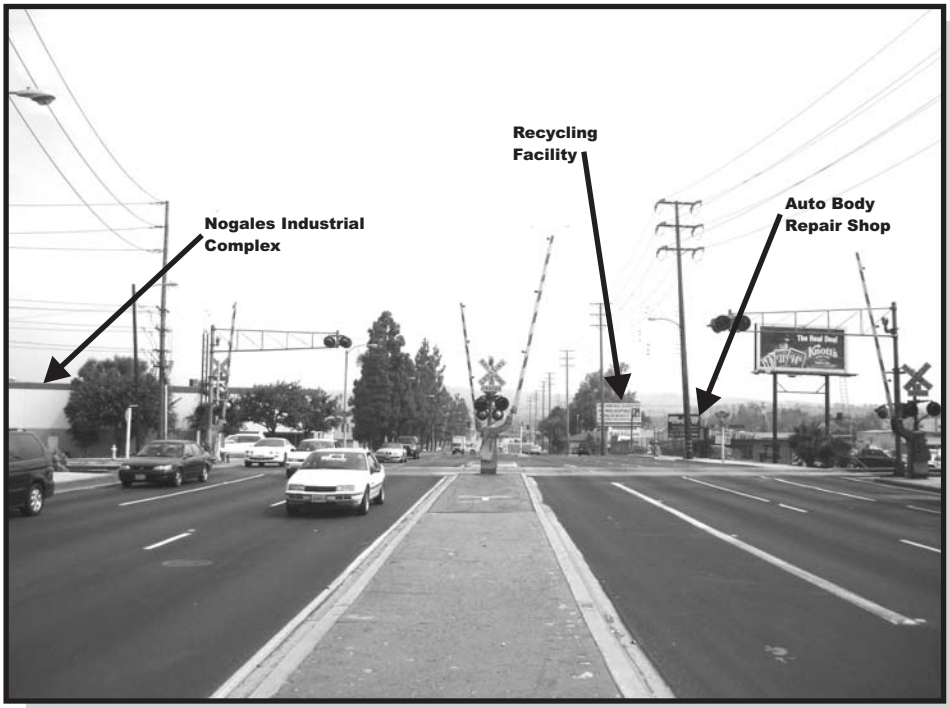
2.1.1 LAND USE

This section addresses the impacts of the project alternatives on land uses in the project site vicinity and examines whether the project alternatives are consistent with local and regional land use plans and policies.

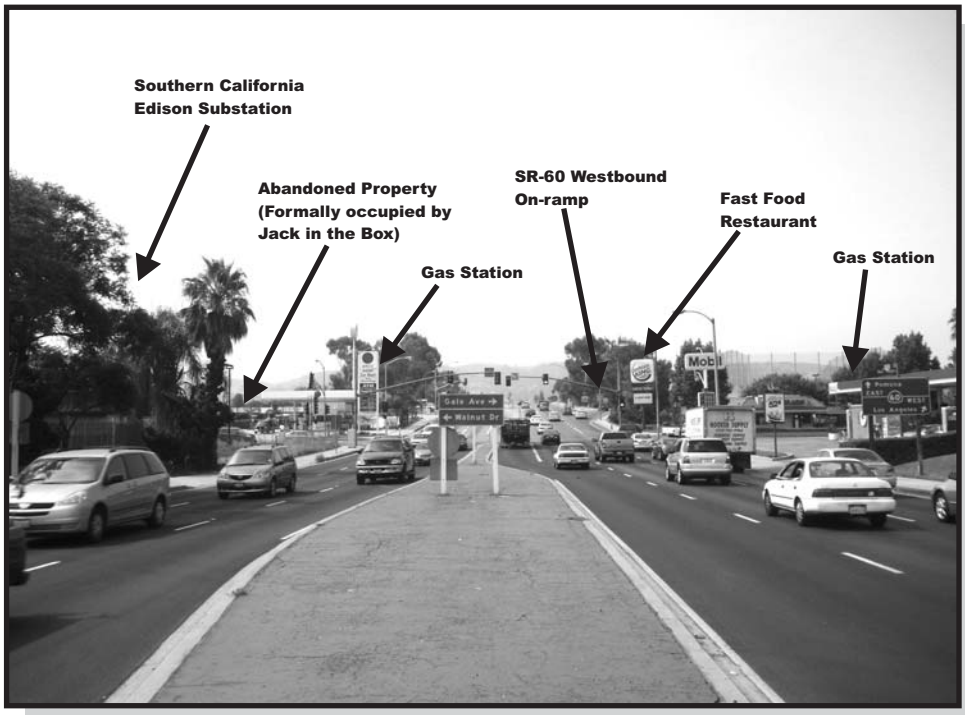
AFFECTED ENVIRONMENT

The land uses in the vicinity of the Project area consist primarily of industrial and commercial uses along Nogales Street to the north and south of the UPRR tracks. In particular, some of the existing land uses surrounding the proposed Nogales Street grade separation portion of the Proposed Project include a privately-owned recycling center, an auto-body repair shop, and the Nogales Industrial Complex located immediately to the north, as shown in **Figure 2.1-1**. South of the proposed Nogales Street grade separation, there is a large commercial strip mall with a supermarket, gas station, bank, and fast food restaurant. Also located to the south are a Southern California Edison substation facility, a warehouse distribution building, and an abandoned lot at the northeast corner of Nogales Street and Walnut Drive that is owned by the City of Industry.

The Gale Avenue/Walnut Drive widening portion of the Proposed Project is located in an industrial and commercial area immediately adjacent to the City of Industry. There are no established residential communities adjacent to this portion of the Project area. The nearest residences are located approximately one-quarter mile to the south of the Project area, on the south side SR 60 in the community of Rowland Heights. There is a second residential area located north of Valley Boulevard, approximately one-half mile north of the Project area in the City of West Covina. The Project area has a level elevation and the surrounding buildings range in height from one- to three-stories. The Project area is not within the California Coastal Zone.



Land uses north of the railroad tracks on Nogales Street.



Land uses south of the railroad tracks on Nogales Street.

SOURCE: TAHA, 2007

FIGURE 2.1-1

EXISTING LAND USES IN PROJECT VICINITY

ENVIRONMENTAL CONSEQUENCES

The Proposed Project is consistent with both the City of Industry General Plan and the County of Los Angeles General Plan because it would provide for future vehicle travel demand by developing a grade-separated crossing of the UPRR tracks at Nogales Street and provide for future vehicle travel demand at the intersection of Gale Avenue/Walnut Drive and Nogales Street. The Proposed Project would also enhance safety and traffic operations by eliminating an existing grade crossing of a railroad track in a fully developed urban area and improve intersection level of service at the Gale Avenue/Walnut Drive and Nogales Street intersection. The Proposed Project would not affect location, distribution, density, or growth rate of the residential population, and it would not induce large commercial or residential development. As such, no adverse impacts associated with land use issues resulting from land use incompatibility or inconsistency are anticipated.

MEASURES TO MINIMIZE HARM

No adverse impacts are anticipated, therefore, no mitigation measures are required.

2.1.2 COMMUNITY IMPACTS

ENVIRONMENTAL JUSTICE

AFFECTED ENVIRONMENT

On February 4, 1994, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was signed into law. Executive Order 12898 requires federal agencies to achieve environmental justice by "identifying and addressing the social and economic effects of their programs, policies, and activities on minority populations and low-income populations in the United States."[4] As Executive Order 12898 applies to the U.S. Environmental Protection Agency (USEPA), environmental justice is the *fair treatment* and *meaningful involvement* of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or policies. Meaningful involvement means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contributions can influence the regulatory agency's decision; (3) the concerns of all participants will be considered in the decision-making process; and, (4) the decision makers shall seek out and facilitate the involvement of those potentially affected groups.

In response to Executive Order 12898, the U.S. Department of Transportation (USDOT) issued an Order to Address Environmental Justice in Minority Populations and Low-Income Populations. This order, issued in April 1995, sets guidelines to ensure that all federally-funded transportation-related programs, policies, or activities that have the potential to adversely affect human health or the environment involve a planning and programming process that explicitly considers the effects on minority populations and low-income populations.

Demographic characteristics of the affected environment are derived from the 2000 U.S. Census, Southern California Association of Governments (SCAG) County Projections, and California Department of Finance. For the purposes of the socioeconomic evaluation, the term "study area" refers to Census Tracts 4082.11 and 4082.12**,** which encompass the proposed limits of the Nogales Street grade separation and Gale Avenue/Walnut Drive widening project and include portions of Los Angeles County and the City of Industry that surround the immediate Project area. Data for the study area are compared to overall conditions for Los Angeles County and the City of Industry.

The 2005 study area population was 11,438, as shown below in **Table 2.1-1**.[5] Land uses in the City of Industry are not typical of other Southern California cities and consist primarily of business or industrial, with very little housing. In 2005, the population in the City of Industry was 796 persons and only anticipates an increase of three persons by the year 2020.

[4]Federal Highway Administration. Website: http://fhwa.dot.gov (Accessed February 1, 2008).

[5]For the purposes of this analysis, the study area comprised of Census tracts 4082.11 and 4082.12. However, the Project area itself does not contain any residences and, therefore, would not be included in the Census analysis presented in these tables.

Table 2.1-1
Population Growth Projections (Persons)

Area	2005	2010	2020
Los Angeles County	10,258,304	10,718,007	11,501,884
City of Industry	796	799	799
Study Area	11,438	12,819	14,539

SOURCE: SCAG, 2004 RTP Adopted Forecast, April 2004.

An ethnic profile of the existing population is derived from 2000 U.S. Census Bureau data for Los Angeles County, the City of Industry, and study area. The racial categories used are White, Asian/Pacific Islander, Black/African American, American Indian and Alaska Native, and other or multi-racial. The category of "Hispanic/Latino" is considered an ethnicity and persons of Hispanic/Latino origin can include persons from one or more racial categories. Racial and ethnic composition for Los Angeles County, the City of Industry, and the study area are shown in **Table 2.1-2**.

Table 2.1-2
Racial and Ethnic Composition

	Los Angeles County		City of Industry		Study Area	
Ethnicity	Population	%	Population	%	Population	%
Hispanic/Latino /a/	4,613,450	47.3	468	60.2	3,476	35
Race						
White /b/	4,968,846	50.9	426	54.8	1,681	17
Black/African American	868,199	8.9	33	4.2	205	2
American Indian and Alaska Native	48,544	0.5	21	2.7	9	<1
Asian	1,273,995	13.1	30	3.9	4,300	43
Native Hawaiian and Other Pacific Islander	29,841	0.3	0	0	0	0
Other or Multi-racial	2,569,461	26.3	267	34.4	392	4
Total	9,758,886	100	777	100	10,063	100

/a/ Hispanic/Latino persons may be of any race, and as such includes persons who also identify with the race categories.
/b/ Not of Hispanic/Latino origin.
SOURCE: 2000 U.S Census Data.

The racial composition of the study area has a proportionally larger Asian population and proportionally lower Hispanic/Latino, White, non-Hispanic, and Black/African American populations than either the City of Industry or the County of Los Angeles. The City of Industry is predominately Hispanic/Latino (60.2 percent) and the County of Los Angeles is predominately White, non-Hispanic (50.9 percent). The City of Industry also has a proportionally higher population of American Indian/Alaska Native and other or multi-racial persons and proportionally lower populations of White, non-Hispanic, Asian, and Black/African American persons than the County.

Household characteristics for Los Angeles County, City of Industry, and the study area are shown in **Table 2.1-3**. In 2000, 64 percent of the study area housing units were single-family dwellings and 65 percent were owner occupied, a high owner occupied percentage when compared to the County. Sixteen percent of the housing stock was mobile homes. Median housing values were lower than those of the County and the City while median gross rents in the study area were higher. The median household income for the study area was $41,154 and $59,728 for census tracts 4082.11 and 4082.12, respectively, comparable to the median income in the City of Industry and at the higher end of the County. Between 11 and 12 percent of the households in the study area were below poverty level, a lower poverty rate than both the County and the City.

Table 2.1-3
Household Characteristics

	Los Angeles County		City of Industry		Study Area	
Total Housing Units	3,270,909		119		3,079	
Single-Family	1,835,087	56%	119	100%	2,017	64%
Multi-Family	1,379,201	42%	0	0%	581	18.5%
Mobile Homes	53,475	2%	0	0%	506	16%
Other	3,146	0.001%	0	0%	0	0%
Owner Occupied	1,499,744	48%	48	40%	6,592	65%
Renter Occupied	1,634,030	52%	73	60%	3,579	35%
Total Housing Units Vacant	137,135		3		100	
2000 Year Census Vacancy Rate	4.2%		2.5%		3.2%	
Housing Units for Sale	23,847	1%	1	<1%	52	2%
Housing Units for Rent	56,089	3%	0	0%	42	1%
Persons per Household	2.98		4.24		3.4/3.44 /a/	
Median Housing Value	$209,300		$179,500		$159,100/$193,200 /a/	
Median Year Structure Built	1958		1965		1973/1971 /a/	
Median Gross Rent	$704		$663		$866/$979 /a/	
Median Household Income	$42,189		$49,423		$41,154/$59,728 /a/	
% Household Below Poverty Level	17.9%		14.5%		12.2%/11.0% /a/	

/a / Where applicable, study area data are shown for each Census tract individually (4082.11/4082.12).
SOURCE: 2000 U.S. Census Data.

Employment by industry for Los Angeles County, City of Industry, and the study area are shown in **Table 2.1-4**. Employment within the immediate study area is generally in the industrial, retail and service businesses. The City of Industry is largely an industrialized city with few residents. Many of those employed in the City of Industry commute from nearby cities. Daily employment figures exceed 80,200 persons[6] only 324 of which are City of Industry residents. Many retail companies, such as Costco, Fry's Electronics, and Circuit City, and manufacturing companies, such as Sysco Food Service of Los Angeles, Inc., are located within the City.

Table 2.1-4
Employment By Industry

	Los Angeles County	City of Industry	Study Area
Employed Persons 16 Years and Over	4,312,264	324	4,425
Agriculture, Forestry and Fisheries, and Mining	10,188	0	9
Construction	202,829	24	120
Manufacturing	586,627	33	700
Transportation, Communications, and Other Public Utilities	198,375	15	211
Wholesale Trade	184,369	39	376
Retail Trade	416,390	29	516
Finance, Insurance, and Real Estate	272,304	8	405
Services	233,193	123	1,437
Public Administration	124,937	8	100

SOURCE: 2000 U.S. Census.

[6]SCAG, 2004 RTP Adopted Forecast, April 2004.

ENVIRONMENTAL CONSEQUENCES

The study area Census statistics in **Table 2.1-3** are for the residential parts of the Census tracts, located primarily in Rowland Heights. No residences are located near the Project area. In 2000, the average household median income for the Census tracts in the study area was $50,441, which is greater than the average household income for the County of Los Angeles. In addition, the percentage of households below the poverty level is lower than those of the City of Industry and the County of Los Angeles. Due to the high median income and low poverty levels, the area is not considered to be predominately low-income. In addition, as there is no resident population in the Project area, no disproportionate impacts to low-income communities are anticipated. Similarly, the study area statistics for race and ethnicity refer to households primarily in Rowland Heights, which has a higher Asian population than the County or the City of Industry. The Project area does contain several commercial businesses that cater to the Asian population. Potential disproportionately adverse impacts would occur if only minority-owned or businesses that cater to a specific minority groups were displaced.

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project does include the potential displacement of two businesses: a roofing company and an auto body repair shop along Nogales Street south of San Jose Avenue and north of the UPRR tracks. The roofing supply company and the auto body shop provide services to the surrounding community and it is probable that the immediate, primarily-minority community patronizes them. The decision for the displacement of these properties was based on engineering and access restrictions, and not on whether the businesses were minority-owned or serve minority populations. Also, there are additional roofing supplies and auto body repair shops in the surrounding community that would be able to provide similar services to the predominately-minority population. As such, no disproportionate impacts to minority populations are anticipated.

Gale Avenue/Walnut Drive Widening

The Gale Avenue/Walnut Drive widening portion of the Proposed Project is anticipated to require the relocation of one business, a Mobil gas station located at 1025 Nogales Street. The gas station that would be relocated does not cater to a specific minority population and several other gas stations are located in the Project area that could be used by the community. As such, no disproportionate impacts to minority populations are anticipated.

No disproportionate adverse impacts to low-income or minority communities are anticipated, therefore, no mitigation measures are required.

RELOCATION AND REAL PROPERTY ACQUISITION

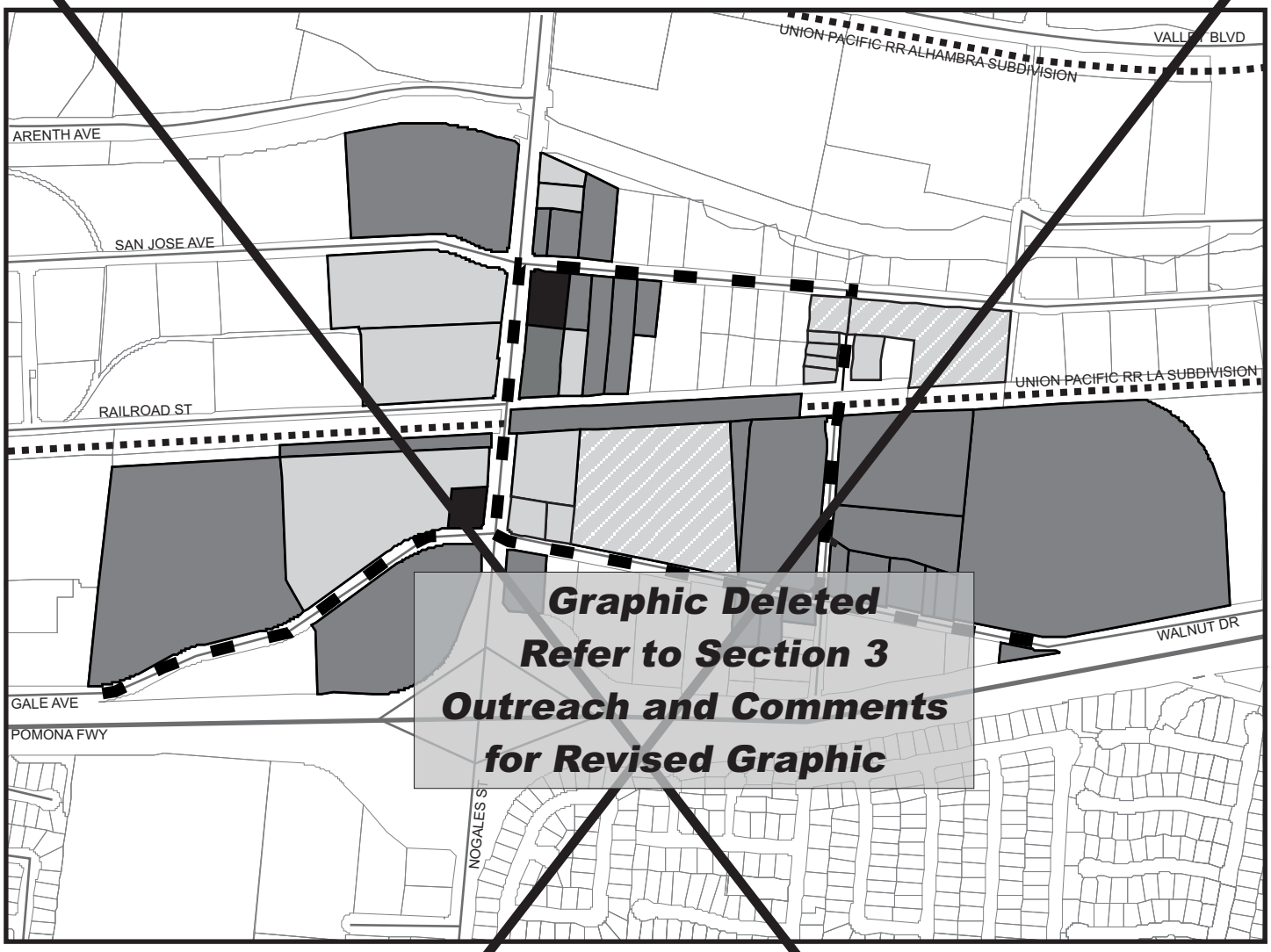
ENVIRONMENTAL CONSEQUENCES

The Proposed Project includes the depression of Nogales Street below the UPRR tracks and the widening of a 0.83-mile stretch of Gale Avenue/Walnut Drive. Together, the Proposed Project would affect a total of ~~50~~ *40* parcels, containing approximately ~~35~~ *30* businesses. **Table 2.1-5** lists the affected parcels and **Figure 2.1-2** shows the locations of these parcels. No housing would be replaced as a result of the Proposed Project. *(Refer to Section 3 Comments and Outreach for discussion of Charlie Road Detour and updated Figure 2.1-2 and Table 2.1-5.)*

Table 2.1-5
List Of Displacement Properties
(*DELETED; See Section 3 Outreach and Comments for Updated Table*)

APN	Address	Business	Full Take/Partial Take/ *Temporary Construction* Easement
8264-003-011	18965 San Jose Avenue	Y	Partial Take
8264-003-017	18910 San Jose Avenue No 60	Y	*Temporary Construction* Easement
8264-003-018	18955 Railroad Street	Y	*Temporary Construction* Easement
8264-021-014	18900 Gale Avenue	Y	Partial Take
8264-021-015	1025 Nogales Street	Y	Full Take
8264-021-020	18800 Railroad Street	Y	Partial Take *Temporary Construction Easement*
8264-021-026	No Address Available	Vacant land	Partial Take
8264-021-028	1015 Nogales Street	Y	*Temporary Construction* Easement
8760-001-001	1113 Otterbein Avenue	Y	Partial Take
8760-001-006	19148 E Walnut Drive N	Y	Partial Take
8760-001-012	1100 Nogales Street	Y	Partial Take
8760-001-015	19138 E Walnut Drive N	Y	Partial Take
8760-002-003	No Address Available	Y	Easement/Full Take
8760-002-004 /c/	1010 Otterbein Avenue	Y	Partial Take
8760-002-005	19201 E Walnut Drive N	Vacant land	Partial Take
8760-002-006	19213 E Walnut Drive N	Y	Partial Take
8760-002-008	19237 E Walnut Drive N	Y	Partial Take
8760-002-009	19251 E Walnut Drive N	Y	Partial Take
8760-002-010	No Address Available	Vacant Land	Partial Take
8760-002-014	19301 E Walnut Drive N	Y	Partial Take
8760-002-015	19101 E Walnut Drive N	Y	*Temporary Construction* Easement/ Partial Take
8760-002-016	19161 E Walnut Drive N	Y	Partial Take
8760-002-017	19161 E Walnut Drive N	Y	Partial Take
8760-002-018	19235 E Walnut Drive N	N/A	Partial Take
8760-002-801	No Address Available	N/A	*Temporary Construction* Easement
8760-002-900 /c/	1006 Otterbein Avenue	Government	Partial Take
8760-002-901	1146 Nogales Street	Vacant Land	Part Take
8760-002-902	No Address Available	Vacant Land	Part Take
8760-003-001 /b/	904 Nogales Street	Y	Full Take
8760-003-002 /b/	938 Nogales Street	Y	Partial Take
8760-003-003 /b/	19022 San Jose Avenue	Vacant Land	Partial Take
8760-003-006	No Address Available	Vacant Land	*Temporary Construction* Easement
8760-003-008	19052 San Jose Avenue	Y	Partial Take
8760-003-009	19042 San Jose Avenue	Y	Partial Take
8760-003-020	19154 San Jose Avenue	Y	Easement/ Partial Take
8760-003-021	917 Otterbein Avenue	Y	Easement
8760-003-022	No Address Available	Y	Easement
8760-003-023	929 Otterbein Avenue	Y	Easement
8760-003-024	No Address Available	Y	Easement
8760-003-025	19220 San Jose Avenue	Y	Easement
8760-003-027	19220 San Jose Avenue	Y	Easement/ Partial Take
8760-003-028	19032 San Jose Avenue	Y	Partial Take
8760-004-019	19033 San Jose Avenue	Vacant land	Partial Take
8760-004-020 /a/	822 Nogales Street	Y	*Temporary Construction* Easement
8760-004-021 /a/	830 Nogales Street	Y	*Temporary Construction* Easement
8760-004-022	854 Nogales Street	Y	Partial Take
8760-004-023	19015 San Jose Avenue	Y	Partial Take
8760-005-808	No Address Available	Y	Partial Take *Temporary Construction Easement*
N/A	Caltrans	Vacant Land	Partial Take

/a/ These parcels are part of one property.
/b/ These parcels are part of one property.
/c/ These parcels are part of one property.
SOURCE: Alameda Corridor-East Construction Authority, *Final Relocation Impact Report for Nogales Street Separation, Construction of Temporary Otterbein Avenue Detour, and Gale/Walnut Street Widening in City of Industry and Unincorporated Portions of Los Angeles County*, September 2004.



LEGEND:

- Project Improvements
- Railroad
- Full Take
- Partial Take
- Easement
- Easement/Partial Take

SOURCE: TAHA, 2008

N

Nogales Street Grade Separation (UPRR Los Angeles Subdivision)
And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019

ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 2.1-2

PARCELS POTENTIALLY
AFFECTED BY DISPLACEMENT

The Nogales Street grade separation portion of the Proposed Project would affect businesses in the Project area either through full or partial takes of land or easements. A Final Relocation Impact Report (FRIR) was prepared by ACE to determine the feasibility of relocating properties that would be affected by the Proposed Project. The Nogales Street grade separation portion of the Proposed Project may require the take of two businesses: a roofing company and an auto body repair shop located along Nogales Street, south of San Jose Avenue and north of the UPRR tracks. Determining the suitability of relocation sites takes land use compatibility and other factors into account, to avoid or minimize secondary environmental effects, such as noise and increased local traffic. At the time of FRIR preparation, there was an adequate supply of replacement sites available. However, the survey indicates that potential sites (1) may not be in the immediate area and (2) the auto body repair shop is likely to require a conditional use permit. Nonetheless, as determined by the FRIR, adequate replacement sites do exist. However, potential adverse impacts would occur if there were no guidelines for displacement relocation.

Gale Avenue/Walnut Drive Widening

The Gale Avenue/Walnut Drive widening portion of the Proposed Project, would involve the full take of one property, a Mobil gas station located at 1025 Nogales Street, at the intersection of Gale Avenue. The Proposed Project would also require the partial take and easement acquisitions over property where commercial or industrial businesses are located in the Project area.

The FRIR determined there was adequate availability of replacement units to accommodate the needs of the displaced businesses, depending on the actual time of relocation. However, potential adverse impacts would occur if there were no guidelines for displacement relocation.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial/industrial businesses. A Relocation Plan will be developed for the displaced businesses. The Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. In cases where relocation will be necessary for right-of-way acquisition, a decision on relocation will be reviewed with each business owner to ensure that they are aware of all of the opportunities. Suitable facilities for relocation existing in the general area will be sought. The following outlines the relocation process for business relocations:

- Take business survey to determine needs in a replacement site;
- Prepare and send general information notices;
- Search market for available business sites;
- Prepare and send Letter of Eligibility advising displacee of relocation assistance and rights;
- Take inventory of business property for moving estimates;
- Obtain moving bids, if displacee chooses a commercial move;
- Prepare claim forms for displacee's signature;
- Have claim forms signed by displacee;
- Send a 90-day Notice to Vacate, if applicable;
- Prepare and route a check request for moving expenses; and
- Arrange for the property to be secured until demolition (fencing, boarding up).

With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

2.1.3 PUBLIC SERVICES AND UTILITIES

AFFECTED ENVIRONMENT

The Project area is served by the following public utilities and public service providers:

- Los Angeles County Sheriff's Department
- Los Angeles County Fire Department
- San Gabriel Valley Water
- Suburban Water Systems
- Rowland Water District
- La Puente Valley Water District
- Walnut Valley Water District
- Hacienda La Puente Unified School District
- Bassett Unified School District
- Los Angeles County Parks and Recreation
- Southern California Gas Company
- Southern California Edison Company
- Verizon

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project would potentially require the relocation of several underground utilities in the area. Typically, replacement lines are constructed prior to relocation of utility lines and possible interruption of services. However, potential short-term adverse impacts could occur to utility customers as old lines are relocated to new lines.

The Proposed Project would have no effect on wastewater treatment requirements, as it would not generate new demand for water or wastewater service. The Proposed Project would include the construction of new stormwater drainage facilities to serve the grade-separated roadway. These facilities would be located within the existing right-of-way, and would drain into the public stormwater system. Ongoing Proposed Project operations would not generate solid waste. During construction, the contractor will be required to remove any on-site waste and dispose of it in accordance with federal, State, and local regulations. No adverse impacts associated with wastewater, water, or solid waste utilities are anticipated.

The Nogales Street grade separation portion of the Proposed Project would enhance response times for fire, police, and other emergency services by enabling emergency vehicles to cross the railroad tracks while trains are passing through. The Nogales Street grade separation portion of the Proposed Project would have no effect on school, park, or other community facilities or services. No adverse impacts are anticipated related to fire and police services or other public services.

Gale Avenue/Walnut Drive Widening

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would potentially require the relocation of several underground utilities in the area. Typically, replacement lines are constructed prior to relocation of utility lines and possible interruption of services. However, potential short-term adverse impacts could occur to utility service provided to customers as old lines are relocated to new lines.

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would have no effect on wastewater treatment requirements, as it would not generate new demand for water or wastewater service. The Proposed Project would include the construction of new stormwater drainage facilities to serve the widened roadways. These facilities would be located within the existing right-of-way, and would drain into the public stormwater system. Ongoing Proposed Project operations would not generate solid waste. During construction, the contractor will be required to remove any on-site waste and dispose of it in accordance with federal, State, and local regulations. No adverse impacts associated with wastewater, water, or solid waste utilities are anticipated.

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would enhance response times for fire, police, and other emergency services by enabling emergency vehicles to go through intersections with improved LOS. The Gale Avenue/Walnut Drive widening portion of the Proposed Project would have no effect on school, park, or other community facilities or services. No adverse impacts are anticipated related to fire and police services or other public services.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

ACE will work with affected utility companies to make use of available right-of-way, as necessary. To the extent feasible, relocation of utilities will be scheduled to either precede construction or occur simultaneously. Any disruptions to service would be temporary and intermittent in nature and would affect small pockets of customers, each of whom would be notified in advance.

With implementation of these measures, impacts to public utilities and public service providers will not be considered adverse.

2.1.4 PUBLIC SAFETY

AFFECTED ENVIRONMENT

The Project area is currently used for railroad transport, which may potentially include the transport of hazardous materials. Additionally, Nogales Street is a truck route and hazardous materials may be transported on it as well in the Project area. Currently, there exists a potential conflict between trains and motorists and pedestrians crossing the railroad tracks.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project would help reduce the risk of upset or accident conditions by providing grade separation between public roadways and an operational rail line. The Nogales Street grade separation would not involve new routine transport, use, or disposal of hazardous materials, and it would not result in any change to existing routine transport, use or disposal of such materials. However, there are potential adverse impacts regarding handling of any hazardous materials during construction activities.

In addition, the Nogales Street grade separation portion of the Proposed Project would eliminate train-motorist and train-pedestrian conflict by enabling vehicles and pedestrians to cross underneath the railroad bridge in the Project area while trains pass overhead. A beneficial impact associated with reduction of conflicts between trains and motorists and pedestrians is anticipated.

Gale Avenue/Walnut Drive Widening

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would not involve new routine transport, use, or disposal of hazardous materials, and it would not result in any change to existing routine transport, use or disposal of such materials. The Gale Avenue/Walnut Drive widening portion of the Proposed Project would also improve pedestrian safety by providing appropriate width of sidewalks in the improved area. As such, no adverse impacts associated with public safety are anticipated.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation

An approved health and safety plan shall be required to be in effect prior to construction to address any hazardous materials handling during construction activities. With implementation of this mitigation measure, no adverse impacts associated with public safety are anticipated.

Gale Avenue/Walnut Drive Widening

No adverse impacts related to public safety are anticipated, therefore, no mitigation measures are required.

2.1.5 TRAFFIC AND TRANSPORTATION

AFFECTED ENVIRONMENT

Nogales Street Grade Separation

The proposed Nogales Street grade separation portion of the Proposed Project is located in the City of Industry at the Nogales Street crossing of the UPRR Los Angeles Subdivision tracks. Nogales Street is an arterial roadway that runs north-south through the City of Industry, starting in the City of Walnut on the north and terminating south in the Los Angeles County community of Rowland Heights. The posted speed limit is mostly 35 mph (40 mph for southbound traffic south of Valley Boulevard) and parking is not permitted on both sides of the street. Nogales Street has an interchange with State Route 60 south of the Project area. Railroad Street and San Jose Avenue are located north of the UPRR tracks, and Gale Avenue/Walnut Drive is located south of the UPRR tracks. The existing Nogales Street/Gale Avenue/Walnut Drive intersection AM and PM peak hour traffic volumes are shown in **Table 2.1-6**.

Table 2.1-6
Existing AM and PM Peak Hour Volumes

Intersection	Northbound			Southbound			Eastbound			Westbound		
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT
Nogales Street/Gale Avenue/Walnut Drive												
AM	174	1502	425	161	889	123	73	73	48	123	149	380
PM	70	1028	291	151	1319	115	398	354	242	77	271	140

RT: Right-Turn Volumes
LT: Left-Turn Volumes
TH: Through Volumes
SOURCE: Korve Engineering, Inc., *Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision)*, July 2004.

Gale Avenue/Walnut Drive Widening

Gale Avenue/Walnut Drive is one of four primary east-west arterials in the City of Industry and runs parallel just to the north of State Route 60. Because of State Route 60's proximity to this roadway, motorists use Gale Avenue/Walnut Drive as an alternate route in times of heavy freeway congestion. The majority of the 7.5-mile Gale Avenue/Walnut Drive roadway has two lanes in each direction. However, the 0.83-mile long segment proposed for widening is the only remaining portion of Gale Avenue/Walnut Drive that has one lane in each direction. The existing AM and PM peak hour traffic volumes at the intersection of Gale Avenue/Walnut Drive and Nogales Street are shown in **Table 2.1-6**. The existing Level of Service (LOS) at the intersection of Nogales Street and Gale Avenue/Walnut Drive during the AM peak hour is LOS C (Volume to Capacity ratio of 0.731) and during the PM peak hour is LOS F (Volume to Capacity ratio of 1.095).[7] LOS is a description of traffic performance at intersections. The LOS concept is a measure of average operating conditions at intersections during an hour. It is based on a volume-to-capacity (V/C) ratio for signalized locations. LOS range from A to F with A representing excellent (free-flow) conditions and F representing extreme congestion (**Table 2.1-7**).

[7]Meyer, Mohaddes Associates, *Gale Avenue-Walnut Drive Widening Traffic Impact Analysis*, July 2006.

Table 2.1-7
LOS Criteria for Signalized Intersections

Level of Service	Volume to Capacity Ratio	Description of Traffic Conditions
A	0.000-0.600	No vehicle waits longer than one red light and no approach phase is fully used.
B	0.601-0.700	An occasional approach phase is fully utilized; drivers may feel restricted within groups of vehicles.
C	0.701-0.800	Occasionally drivers have to wait through more than one red light. Backups may develop behind turning vehicles.
D	0.801-0.900	Delays may be substantial during rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.
E	0.901-1.000	Represents the most vehicles intersection approaches can accommodate; there may be long lines of waiting vehicles through several signal cycles.
F	> 1.000	Backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.

SOURCE: Transportation Research Board, *Highway Capacity Manual*, 2000.

ENVIRONMENTAL CONSEQUENCES

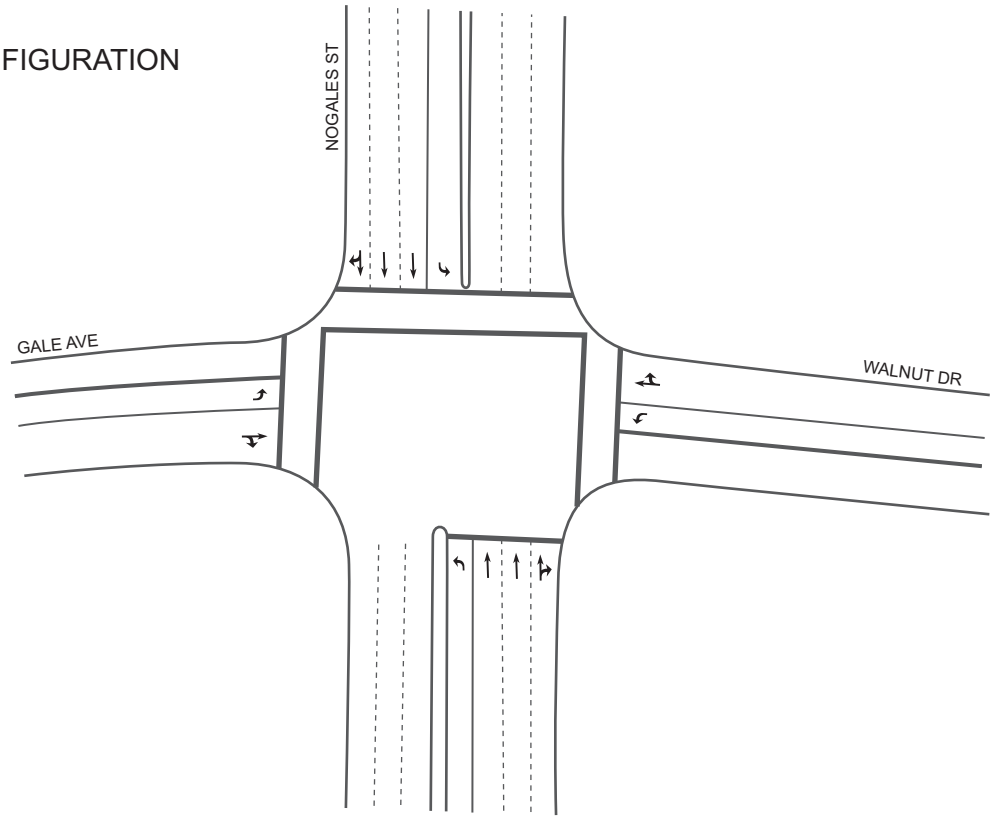
Nogales Street Grade Separation

Future condition (without the Proposed Project) AM and PM peak hour traffic volumes on Nogales Street are summarized in **Table 2.1-8**. The traffic analysis for the Nogales Street grade separation portion of the Proposed Project was conducted only for the intersection of Nogales Street and Gale Avenue/Walnut Drive using TRAFFIX software in accordance with the ICU method.[8] Traffic operating conditions at the study intersection were analyzed using intersection capacity-based methodology known as the Circular 212 "Critical Movement Analysis" (CMA) method for the signalized locations. The CMA methodology compares the amount of traffic an intersection is able to process (the capacity) to the level of traffic during the peak hours (volume). The delay for the intersection corresponds to a LOS value which describes the intersection operations. Intersections with vehicular volumes that are at or near capacity experience greater congestion and longer vehicle delays.

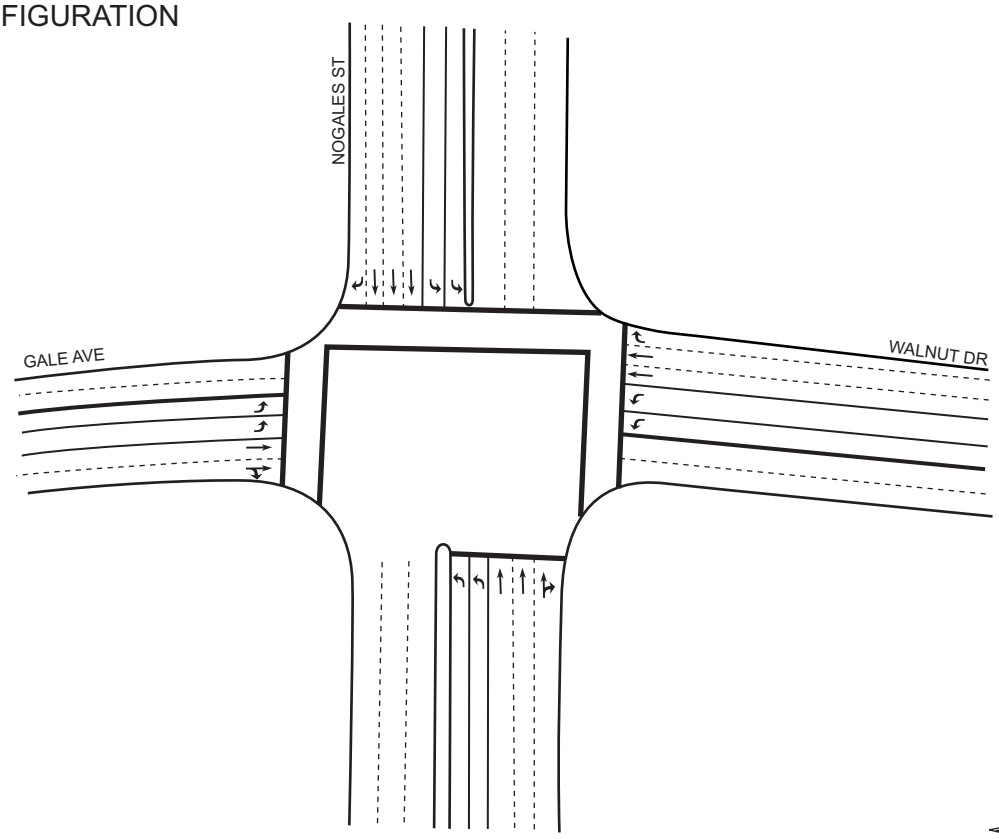
The LOS for this intersection was evaluated during the AM and PM peak hours for year 2025 without Project using the existing lane geometry (**Figure 2.1-3**) and forecasted volumes as shown in **Table 2.1-8**. The future without Project scenario also takes into consideration the anticipated grade crossing delay as calculated in **Table 2.1-9**.

[8]Korve Engineering, Inc., *Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision)*, July 2004.

EXISTING LANE CONFIGURATION



PROPOSED LANE CONFIGURATION



SOURCE: TAHA, 2008

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 2.1-3

EXISTING AND PROPOSED PROJECT LANE CONFIGURATIONS

Table 2.1-8
Future (No Project) AM and PM Peak Hour Volumes

Intersection	Northbound			Southbound			Eastbound			Westbound		
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT
Nogales Street/Gale Avenue/Walnut Drive												
AM	231	1998	565	214	1182	164	97	97	64	164	198	505
PM	93	1367	387	201	1754	153	529	471	322	102	360	186

RT: Right-Turn Volumes
LT: Left-Turn Volumes
TH: Through Volumes
SOURCE: Korve Engineering, Inc., *Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision)*, July 2004.

Table 2.1-9
Grade Crossing Delay (Year 2025)

Arterial	Train	T_g (minutes)	Q (vehicles/min)	D (vehicles/min)	T (vehicle-hr)	
					Without Project	With Project
Nogales Street (AM)	INTLG	4	65	99	20.7	0.0
	Coal	2	65	99	9.2	0.0
	Metrolink	2	65	99	3.8	0.0
				Total	**34**	**0.0**
Nogales Street (PM)	INTLG	4	64	99	19.5	0.0
	Coal	2	64	99	8.7	0.0
	Metrolink	2	64	99	3.6	0.0
				Total	**32**	**0.0**

T_g = Gate blockage Time
D = Vehicle departure rate
Q = Vehicle arrival rate
T = Delay
INTLG = International freight, long
SOURCE: Korve Engineering, Inc., *Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision)*, July 2004.

According to the traffic analysis, it is anticipated that the intersection of Nogales Street and Gale Avenue/Walnut Drive would operate at LOS E and LOS F during the AM and PM peak hours, respectively, without the implementation of the proposed grade separation in year 2025 (**Table 2.1-10**).

Table 2.1-10
Nogales Street and Gale Avenue/Walnut Drive LOS

Scenario	AM		PM	
	LOS	V/C	LOS	V/C
Future Without Project	E	0.946	F	1.171
Future With Project	D	0.842	E	0.923

SOURCE: Korve Engineering, Inc., *Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision)*, July 2004.

For the scenario that includes implementation of the Nogales Street grade separation portion of the Proposed Project, the widening of Gale Avenue/Walnut Drive was taken into consideration, as was the elimination of the grade crossing delay as presented in **Table 2.1-9**. The intersection of Nogales Street and Gale Avenue/Walnut Drive is anticipated to operate at LOS D and LOS E during the AM and PM peak hours, respectively, with Proposed Project implementation (**Table 2.1-10**).

As shown by this analysis, the Nogales Street grade separation would not induce additional traffic and its long-term impacts on existing transportation systems, including transit and vehicular traffic, would be positive because of the elimination of grade crossing delay at the Nogales Street UPRR Los Angeles Subdivision crossing, and because it would improve LOS during AM and PM peak hours at the intersection of Nogales Street and Gale Avenue/Walnut Drive. Therefore, no adverse impacts are anticipated for the Nogales Street grade separation portion of the Proposed Project.

As part of the grade separation of Nogales Street at the UPRR tracks, Railroad Street will be terminated with a cul-de-sac as its intersection with Nogales Street. Southbound commuters utilize Railroad Street often to circumvent congestion on Nogales Street due to trains crossing or due to congestion at the intersection with Gale Avenue/Walnut Drive. Railroad Street is not signalized at Nogales Street. It is anticipated that as a result of the grade separation, Railroad Street would no longer be heavily utilized to avoid congestion as grade crossing delays would be eliminated and the AM and PM peak hour LOS values would improve for the intersection of Nogales Street and Gale Avenue/Walnut Drive. In addition, businesses on Railroad Street will retain access to Nogales Street via Charlie Street and San Jose Avenue, which is a signalized intersection. Other than these minor rerouting, no significant adverse impacts are anticipated associated with the closure of Railroad Street at Nogales Street.

Gale Avenue/Walnut Drive Widening

As part of the Gale Avenue/Walnut Drive widening portion of the Proposed Project, the eastbound segment would be widened by approximately 16 to 18 feet and reconfigured to accommodate two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. The westbound segment would be reconfigured to accommodate two exclusive left-turn lanes, one through lane and one shared through/right-turn lane (**Figure 2.1-3**). With implementation of the Proposed Project, the intersection operating conditions would improve when compared to conditions without the Proposed Project (which would be similar to the existing conditions). The LOS analysis concluded that the Gale Avenue/Walnut Drive intersection with Nogales Street would operate at LOS D in the AM peak hour and at LOS E during the PM peak hour. This is an improvement from the operation of the Gale Avenue/Walnut Drive intersection with Nogales Street under conditions without the Proposed Project (LOS E during the AM peak hour and LOS F during the PM peak hour). Therefore, no adverse impacts associated with traffic due to the widening of Gale Avenue and Walnut Drive are anticipated.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

No adverse impacts related to transportation and traffic are anticipated, therefore, no mitigation measures are required.

2.1.6 VISUAL RESOURCES

AFFECTED ENVIRONMENT

Views and Vistas

The Proposed Project is located in a fully urbanized area, which is characterized by industrial and commercial uses. There are no recognized scenic vistas in the area. However, the San Gabriel Mountains, the San Jose Hills, and the Puente Hills can be seen from the north-south roadways. The Puente Hills are visible from the north-south roadways although the elevated State Route 60 obstructs southern views from the Project area.

Scenic Resources

The closest officially designated State scenic highway, State Route 2, is approximately 21 miles north of the Project area. The nearest eligible State scenic highway, State Route 57, is approximately 2.7 miles east of the Project area.[9] The Project area cannot be viewed from any State designated or eligible scenic highways.

Visual Character

Visual character and resource assessment for FTA/FRA projects typically follow the *Visual Resource Inventory Manual* published by the U.S. Department of the Interior, Bureau of Land Management. Impacts are determined by how visually sensitive a project area and the public may be to new development. Publicly owned land, such as the Project area, is assigned high, medium, or low sensitivity levels by analyzing the various indicators of public concern. These indicators include: the type of adjacent land uses, the type of users (e.g., workers, tourists, etc.), amount of use, public interest, and the presence of special areas (e.g., scenic highways, natural areas, etc.).

The Project area is highly urbanized in character and fully developed. Areas surrounding Gale Avenue/Walnut Drive and Nogales Street are characterized by large-scale, one- to three-story modern structures, primarily industrial and commercial buildings. Similar industrial and commercial buildings comprise the visual character of side streets in the Project area, such as San Jose Avenue. Landscaping is limited and consists mostly of roadway planting strips.

Light and Glare

Lighting is attributable to buildings, streetlights, and field lighting particularly during nighttime hours. Glare is usually attributable to building surface textures and colors, primarily in the daytime, but can be observed at nighttime due to nighttime lighting. The Project area is surrounded by commercial and industrial facilities with relatively high levels of ambient lighting. In addition, most of the surrounding buildings are warehouses or other industrial structures, which do not have high-glare surfaces.

Shade and Shadows

The prevalence of shadows is directly attributable to building heights, the angle of the sun, and the location of a project relative to off-site shadow-sensitive land uses. Shadow-sensitive uses include routinely useable outdoor spaces associated with residential, recreational, or institutional land uses; commercial uses, such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas;

[9] http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, California Scenic Highway Program, website accessed on July 5, 2008.

nurseries; and existing solar collectors. The Project area is characterized by primarily one-story office park or warehouse structures, as well as one-story commercial buildings, which are not typically sources of shade and shadows and are not located adjacent to any shadow-sensitive land uses.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

Views and Vistas

The Nogales Street grade separation portion of the Proposed Project does not contain any designated vistas. The implementation of the proposed Nogales Street grade separation would involve depressing Nogales Street and does not involve the construction of any tall structures that would obstruct the views of the San Gabriel Mountains and the San Jose Hills to the north and Puente Hills to the south. Therefore, no adverse impacts associated with views and vistas are anticipated.

Scenic Resources

Since the closest officially designated State scenic highway, State Route 2, is approximately 21 miles north of the Project area, and since the Project area site cannot be viewed from any State designated or eligible scenic highways, no adverse impacts to scenic resources are anticipated.

Visual Character

The depression of Nogales Street at the UPRR tracks would not contrast with the surrounding area as there is an existing underpass less than 0.5 mile north of the Proposed Project at Nogales Street and Valley Boulevard (at the UPRR Alhambra Subdivision tracks). As such, no adverse impacts associated with visual character are anticipated.

Light and Glare

The Proposed Project would replace any streetlights removed during construction. Additionally, the standard roadway lighting on the depressed portion of Nogales Street, beneath the railroad bridge would be added. The lighting would be compatible with the existing lighting in the area and would be compatible with the surrounding urban area and typical of street lighting in the vicinity. This new lighting would be restricted to the underpass and would not impact sensitive uses.

The Proposed Project would utilize concrete and paving materials for completion of the bridge and underpass. Concrete and paving materials are non-reflective surfaces that do not produce significant glare. Therefore, no adverse impacts associated with lighting and glare are anticipated.

Shade and Shadows

The bridge that would be constructed for the UPRR trains would cast shadows upon the portion of Nogales Street that would be depressed underneath the bridge. However, the only users that would be impacted are street traffic (vehicles and trucks traveling on Nogales Street) and some pedestrians. These impacts would be temporary, even during congestion, as the shadows would not be cast for more than three consecutive hours on any one car or person passing through. Furthermore, vehicles, trucks and pedestrians are not considered shade and shadow sensitive uses. Therefore, no adverse impacts associated with shade and shadows are anticipated.

Gale Avenue/Walnut Drive Widening

Views and Vistas

The area around the Gale Avenue/Walnut Drive widening portion of the Proposed Project does not contain any designated vistas. The implementation of the proposed Gale Avenue/Walnut Drive widening would involve widening both Gale Avenue and Walnut Drive to the west and east of Nogales Street, respectively, and does not involve the construction of any tall structures that would obstruct the views of the San Gabriel Mountains and the San Jose Hills to the north and Puente Hills to the south. As such, no adverse impacts associated with views and vistas are anticipated.

Scenic Resources

Since the closest officially designated State scenic highway, State Route 2, is approximately 21 miles north of the Project area, and since the Project area site cannot be viewed from any State designated or eligible scenic highways. No adverse impacts to scenic resources are anticipated.

Visual Character

The Proposed Project would remove landscaping and street lighting that currently exists along the sides of the roadways. All street lighting, trees, and other landscaping that are removed as a result of the construction of the Proposed Project would be replaced. The visual character and quality of Nogales Street, Gale Avenue/Walnut Drive, and the surrounding commercial and industrial uses would remain the same as existing conditions. The widening of Gale Avenue is consistent with the rest of Gale Avenue west of the Project area. As such, no adverse impacts associated with visual character are anticipated.

Light and Glare

As part of the Gale Avenue/Walnut Avenue widening portion of the Proposed Project, any streetlights removed during construction would be replaced. The lighting would be compatible with the existing lighting in the area and would be compatible with the surrounding urban area and typical of street lighting in the vicinity. The Proposed Project would utilize concrete and paving materials for completion of the street widening. Concrete and paving materials are non-reflective surfaces that do not produce significant glare. Therefore, no adverse impacts associated with lighting and glare are anticipated.

Shade and Shadows

The Gale Avenue/Walnut Avenue widening portion of the Proposed Project would not require the construction on any new structures that would cast shadows. Therefore, no adverse impacts associated with shade and shadows are anticipated.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

No adverse impacts on visual resources are anticipated to occur, therefore, no mitigation measures are required.

2.1.7 CULTURAL RESOURCES

AFFECTED ENVIRONMENT

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to take into account the effects of their activities and programs on historic properties. Guidelines for implementing Section 106 requirements are promulgated by the Advisory Council on Historic Preservation (ACHP) in "Protection of Historic Properties" (36 CFR Part 800). State of California cultural resource regulations are provided in CEQA (PRC Division 13, §§21000-21178). Archaeological and historical resources are specifically treated under Sections 21083.2 and 21084.1, respectively.

An Area of Potential Effects (APE) for archaeological and historical architectural resources was delineated in accordance with implementing regulations of the ACHP. The APE limits for archaeological resources are defined as the Proposed Project footprint (Area of Direct Impact). The APE for historic/architectural resources includes one parcel beyond the limits of construction.

Archaeological Resources

The Project area is located in an urbanized area and is fully developed with industrial and commercial uses. The Project area is not part of a formal cemetery, but the close proximity to San Jose Creek and the San Gabriel River contributes the potential archaeological resources to be present underground, as historically people have settled near rivers or other sources of water. The Tongva Native Americans are historically described as inhabiting the region surrounding the Project area. The Tongva have come to be known as the Gabrielinos based on their association with the Spanish establishment of the San Gabriel Mission. Three archaeological sites have been recorded within a one-half mile radius of the Project area. However, investigations and a pedestrian survey revealed that there is no evidence of archaeological deposits or features, prehistoric or historic, on-site.[10]

Historic Resources

A historical architectural survey was performed and a Historical Architectural Survey Report (HASR) was prepared to evaluate the potential for the Proposed Project to affect buildings and structures that could be eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). The HASR was prepared in compliance with applicable sections of the National Historic Preservation Act and implementing regulations of the ACHP for federally funded undertakings and their impacts on historic properties. It also complies with applicable sections of the California Public Resources Code.

Ten properties located in the APE were identified to be 50 years old or older. No properties within the APE were found to meet the criteria for listing in either the NRHP or the CRHR. [11,12,13]

[10]JRP Historical Consulting Services, *Historic Architectural Survey Report: Eight Grade Separations within the Alameda Corridor - East Project (Crossings 16, 17, 18, 19, 20, 21, 22, 24)*, August 1999.

[11]*Ibid.*

[12]National Register of Historic Places website, http://www.nps.gov/history/nr, accessed September 3, 2008.

[13]California Register of Historic Places website, http://ohp.parks.ca.gov/listed_resources, accessed September 3, 2008.

Paleontological Resources

A paleontological resources literature review and mitigation plan was prepared for projects within the ACE Program, including the Nogales Street grade separation portion of the Proposed Project. Recent alluvial sediments have been mapped in the Project area and are considered to have low paleontological sensitivity; however, these sediments overlie Pleistocene older alluvial sediments, and this latter unit does have potential to contain significant fossil resources. Fossil vertebrates of Pleistocene age have been recovered from Pleistocene older alluvium throughout the Los Angeles Basin and inland Southern California.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

Archaeological Resources

Investigations and a pedestrian survey performed at the Nogales Street grade separation portion of the Proposed Project revealed that there is no evidence of archaeological deposits or features, prehistoric or historic, on-site.[14] Nonetheless, implementation of the grade separation at Nogales Street and the UPRR tracks would require excavation at depths of up to 30 feet. Given the proximity of the area to waterways and due to the depth of excavation, there is the potential to disturb previously undisturbed archaeological resources. As such, a potential adverse impact regarding archaeological resources is anticipated.

Historic Resources

The HASR performed for the site evaluated the potential for the Proposed Project to impact properties eligible for listing on the NRHP. For the Nogales Street grade separation portion of the Proposed Project, there are seven properties that are 50 years old or older. One of these properties, located at 938 Nogales Street, would be taken for the construction of the Nogales Street grade separation. However, this property is exempt from historic evaluation because it qualifies as "Property Type 3, Buildings, Structures, Objects, Districts, and Sites so Altered as to Appear less than 30 Years Old" under Attachment 4 of the Section 106 Programmatic Agreement. Therefore, it is not an "historic property" for the purposes of NEPA or a "historical resource" for the purposes of CEQA.[15] There are no properties within the APE that meet the criteria for listing in either the NRHP or the CRHR, and, therefore, no adverse impacts on historic resources are anticipated in the vicinity of the work area.

Paleontological Resources

The paleontological resources literature review and mitigation plan indicated that the underlying rock formation has the potential to contain significant paleontological resources. Construction of the Proposed Project requires excavation, which may result in the disturbance of previously undisturbed paleontological resources and in a potential loss of these resources. As such, a potential adverse impact regarding paleontological resources is anticipated.

[14]JRP Historical Consulting Services, *Historic Architectural Survey Report: Grade Separations within the Alameda Corridor - East Project (Crossings #14, 16, and 26)*, March 2000.

[15]SWCA, *Memo Regarding Site Visit and Evaluation of 938 Nogales Street, Rowland Heights, Los Angeles County*, September 2008.

Gale Avenue/Walnut Drive Widening

Archaeological Resources

The Gale Avenue/Walnut Drive widening portion of the Proposed Project is located in a highly urbanized area that is developed with industrial and commercial uses. As with the Nogales Street grade separation, the archaeological investigations revealed no evidence of archaeological deposits or features. Further, the widening of the streets would only require excavation at a depth of approximately five feet which would be unlikely to yield previously undisturbed archaeological resources. However, given the proximity of the area to waterways and due to the depth of excavation, there is the potential to disturb previously undisturbed archaeological resources. As such, a potential adverse impact regarding archaeological resources is anticipated.

Historic Resources

The HASR performed for the site evaluated the potential for the Proposed Project to impact properties eligible for listing on the NRHP and CRHR. For the Gale Avenue/Walnut Drive widening portion of the Proposed Project, there are three properties that are 50 years old or older. However, there are no properties within the APE that meet the criteria for listing in either the NRHP or the CRHR. Therefore, no adverse impacts on historic resources are anticipated in the vicinity of the Project area.

Paleontological Resources

The paleontological resources literature review and mitigation plan indicated that the underlying rock formation has the potential to contain significant paleontological resources. Construction of the Proposed Project requires excavation, which may result in the disturbance of previously undisturbed paleontological resources and in a potential loss of these resources. As such, a potential adverse impact regarding paleontological resources is anticipated.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

Archaeological Resources

In the event that archaeological resources are encountered during the course of earthwork activities associated with the Proposed Project, construction activities shall temporarily cease until the archaeological resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist. ACE shall comply with all applicable federal, State, and local laws and guidelines regarding treatment of previously undiscovered archaeological resources.

With implementation of these mitigation measures, no adverse impacts on archaeological resources are anticipated.

Historic Resources

No adverse impacts on historic resources are anticipated, therefore, no mitigation measures are required.

Paleontological Resources

General "Prior to Construction" paleontological mitigation measures shall be implemented for the Proposed Project, including worker education and briefing of construction inspectors and monitors by a qualified paleontologist. Where excavation is expected to extend below a depth of five feet below the surface, paleontological field monitoring shall be initiated. Sediments yielding remains of marine or terrestrial vertebrates shall be screened in the field to determine the potential for the recovery of significant resources and the efficacy of more detailed sampling. Sediments yielding invertebrate remains shall be screened in the field, and sampled only in those cases where significant data are likely to be yielded. If significant fossils are recovered, the following measures shall be taken:

- Stabilization, documentation and reburial of significant resources that cannot safely be recovered or otherwise preserved (e.g., avoided)
- Preparation of recovered significant paleontological resources to a point of identification and permanent preservation, including stabilization of large remains and screen washing of fossiliferous sediments to recover significant microfossil remains
- Preservation and curation of recovered significant paleontological resources at a qualified professional repository such as the San Bernardino County Museum

With implementation of these measures, impacts related to paleontological resources would not be considered adverse.

2.2 PHYSICAL ENVIRONMENT

2.2.1 WATERWAYS AND HYDROLOGY

AFFECTED ENVIRONMENT

The Los Angeles Regional Water Quality Control Board (RWQCB) developed the Water Quality Control Plan (Basin Plan) for the Los Angeles Region. The Basin Plan outlines conservation and enhancement of water resources and establishes beneficial uses for inland surface waters, tidal prisms, harbors, and groundwater basins.

The Proposed Project is located within the San Gabriel River Watershed, to which stormwater captured on the site ultimately flows. There are no perennial surface waters or wetlands located within the vicinity of the Project area. The Project area is located approximately 0.5 mile south of San Jose Creek. Groundwater in the Project vicinity is approximately 20 feet below the ground surface based on Los Angeles County Flood Control Ground Water Maps.

No large bodies of water are present in the vicinity of the Proposed Project, and the Project area is located more than 24 miles from the Pacific Ocean. Although the proposed Project area is located in an area of low topography, it has not been identified as a potential flood area during a 100-year storm.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

Maximum excavation for the Nogales Street grade separation portion of the Proposed Project would be approximately 30 feet. Therefore, groundwater, which is estimated to be at a depth of approximately 20 feet, may be encountered during construction. Groundwater dewatering may be required on-site during construction. Potential adverse impacts associated with groundwater are anticipated.

In addition, a potential adverse impact due to flooding could occur at the low point of the depressed roadway on Nogales Street during heavy storm events. Potential adverse impacts associated with groundwater are anticipated.

Gale Avenue/Walnut Drive Widening

Excavation required for the Gale Avenue/Walnut Drive widening portion of the Proposed Project would occur at a depth of up to five feet, which would not be deep enough to reach estimated groundwater levels. No potential adverse impacts associated with groundwater are anticipated.

The proposed widening of Gale Avenue/Walnut Drive is not located in an area that has been identified as a potential area of flooding during a 100-year storm. Additionally, the widening does not change the topography of the Project area or increase its permeability. Therefore, no adverse impacts due to flooding are anticipated at the Gale Avenue/Walnut Drive widening portion of the Project area.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation

During construction, temporary dewatering systems (sump pump and sedimentation tank) shall be utilized in the construction of the Nogales Street grade separation portion of the Proposed Project. These temporary construction dewatering systems shall remove minor amounts of groundwater and would not substantially deplete groundwater supplies. Design and construction of the Nogales Street grade separation structure shall include several features to prevent long-term water infiltration and subsequent pumping of ground water. These measures shall include at a minimum, but not be limited to, the following:

- High-strength, low-permeability concrete shall be used for retaining walls and pavements;
- Pavement and retaining wall systems shall be designed for hydrostatic lateral and uplift forces; and,
- Dewatering and drainage facilities that remove rainfall draining into the depressed roadway. This system shall be connected to adequate drainage channels/storm drains to remove the water from the area.
- Pump station to avoid flooding during strong storm events.

With implementation of these measures, impacts related to waterways and hydrology will not be considered adverse.

Gale Avenue/Walnut Drive Widening

No adverse impacts associated with waterways and hydrology are anticipated, therefore, no mitigation measures are required.

2.2.2 WATER QUALITY

AFFECTED ENVIRONMENT

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) was amended to include a provision that the discharge of pollutants to waters of the United States from any point or non-point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In November 1990, the USEPA published final regulations that established stormwater permit application requirements for specified categories of industries. With subsequent amendments, current regulations provide that discharges of stormwater to waters of the United States from industrial activities and from construction activities that encompass one acre or more of soil disturbance are effectively prohibited unless the discharge is in compliance with an NPDES permit.

Federal regulations allow two permitting options for stormwater discharges (individual permits and general permits). The State Water Resource Control Board (SWRCB) has elected to adopt one statewide general permit for construction activity. The General Construction Activities Stormwater Permit (GCASP) applies to all stormwater discharges associated with construction activity, except for those on tribal lands, those in the Lake Tahoe Hydrologic Unit, and those performed by the California Department of Transportation (Caltrans). Currently, the GCASP requires all dischargers where construction activity disturbs one acre or more to conduct the following:

- Develop and implement a Stormwater Pollution Prevention Plan (SWPPP), which specifies BMPs that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the United States; and
- Perform inspections and maintenance of all BMPs.

To obtain coverage under the GCASP, a Notice of Intent (NOI) must be submitted to the SWRCB and a SWPPP must be prepared. BMPs within the SWPPP typically address minimization of erosion during construction, stabilization of construction areas, sediment control, control of pollutants from construction materials, as well as post-construction stormwater management. The SWPPP also must include a discussion of the program to inspect and maintain all applicable BMPs.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project would not generate wastewater discharge and would not violate any water quality standards. Volumes of stormwater runoff with the Proposed Project would not exceed the capacity of the existing drainage systems, and the long-term operations of the Proposed Project would not create substantial additional sources of polluted runoff, as it would not result in increased vehicular traffic. However, due to the existence of several potential hazardous sites in the Project area (in particular USTs), there is the potential to encounter contaminated groundwater.

Gale Avenue/Walnut Drive Widening

The Gale Avenue/Walnut Drive widening portion of the Proposed Project would not generate wastewater discharge and would not violate any water quality standards. Volumes of stormwater runoff with the Proposed Project would not exceed the capacity of the existing drainage systems, and the long-term operations of the Proposed Project would not create substantial additional sources of polluted runoff, as it would not result in increased vehicular traffic. However, due to the existence of several potential hazardous sites in the Project area (in particular USTs), there is the potential to encounter contaminated groundwater.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

With implementation of BMPs as required by the Clean Water Act through the NPDES permit and SWPPP, construction of the Proposed Project would not result in any adverse impacts related to stormwater runoff and water quality.

In the event contaminated groundwater is encountered during construction of the Proposed Project, it would be disposed of in accordance with federal and State regulations. A SWPPP shall be prepared and would identify construction-period BMPs to reduce water quality impacts. With implementation of these measures and BMPs, impacts related to water quality will not be considered adverse.

2.2.3 TOPOGRAPHY, GEOLOGY, AND SEISMICITY

AFFECTED ENVIRONMENT

Topography and Geology

The Project area is in the low-lying plains of the San Gabriel Valley, approximately two miles south of the San Jose Hills and 1.45 miles north of the Puente Hills. A Phase I Environmental Site Assessment (ESA) showed that surficial soils in the Project area consist of sands, silts, and clay.[28] Due to the proximity to the San Jose Hills, some clayey formation sedimentary rock is also present. As the Project area is located in a valley, the predominate geologic features that are visible from it are the Puente Hills to the south and the San Jose Hills to the north, with the San Gabriel Mountains beyond them to the north. No unique geologic or physical features are located in the Project area.

Faults and Seismicity

According to the California Seismic Safety Commission, all of California lies within either Seismic Zone 3 or 4. There are four zones in the United States, ranging from 1 to 4 (the higher the number, the higher the earthquake risk). A majority of the Southern California region is in Seismic Zone 4, the highest hazard zone and, therefore, is susceptible to strong ground shaking and associated seismic hazards.[29] Numerous regional and local faults are capable of producing severe earthquakes of magnitude 6.0 or greater. The nearest known earthquake fault mapped under the Alquist-Priolo Earthquake Fault Zoning Act is the Elsinore Fault Zone, Whittier Section, located approximately 3.5 miles to the south.[30] Additionally, the San Jose Fault Zone is located 3.5 miles north of the Project area.[31] The Proposed Project is not located within a designated fault zone.

Liquefaction

Liquefaction describes a phenomenon where cyclic stresses, which are produced by earthquake-induced ground motions, create excess pore pressures in soils lacking cohesion. As a result, the soils may acquire a high degree of mobility, which can lead to lateral spreading, consolidation and settlement of loose sediments, ground oscillations, flow failure, loss of bearing strength, ground fissuring, sand boils, and other damaging deformations. This phenomenon occurs only below the water table and can propagate upward into overlying, non-saturated soils as excess pore water escapes. Some of the factors that significantly affect liquefaction include groundwater level and soil type. Liquefaction potential has been found to be the greatest where the groundwater level is shallow, and loose, fine sands reside.

According to the California State Geological Service, most of the Project area is located within a designated liquefaction zone, although sections of the Nogales Street grade separation portion of the Proposed Project are not in a liquefaction zone.[32] The Gale Avenue/Walnut Drive widening portion of the Proposed Project is located in an area susceptible to liquefaction.

ENVIRONMENTAL CONSEQUENCES

[28]MAA Engineering Consultants, *Phase I Environmental and Geotechnical Site Assessment*, May 1999.

[29]California Seismic Safety Commission, *Homeowner's Guide to Earthquake Safety*, Edition 2005, http://www.seismic.ca.gov/, accessed on January 22, 2008.

[30]United States Geological Survey (USGS), Earthquake Hazards Program, http://earthquake.usgs.gov/ regional/qfaults/, edited August 23,2006, accessed on August 14, 2008.

[31]Southern California Earthquake Center website, http://www.data.scec.org/index.html, accessed August 14, 2008.

[32]State of California Department of Conservation, Seismic Hazards Zone Map Los Angeles Quadrangle, March 25, 1999, available at: http://www.conservation.ca.gov/cgs/shzp/Pages/Index.aspx, accessed August 14, 2008.

Nogales Street Grade Separation

Topography and Geology

The Proposed Project would improve traffic by eliminating an existing at-grade crossing by depressing Nogales Street beneath the proposed bridge for the railroad tracks within the UPRR ROW boundaries. Although this improvement would be constructed within an existing transportation corridor, the topography of Nogales Street would be altered, as it will be lowered beneath the UPRR tracks. However, as stated, there are no unique geologic or physical features in the Project area. Therefore, the lowering of Nogales Street at the UPRR tracks would not adversely impact uniquely geologic or physical features in the vicinity of the Proposed Project.

The result of the Phase I ESA show that soils in the Project area for the Nogales Street grade separation consist of sands, silts, and clay, indicating some potential for encountering expansive soils. The proximity to the San Jose Hills, where clayey formation sedimentary rock is present, additionally indicates that expansive soils may be present in the Project area. Potential adverse impacts would occur if expansive soils were found to be present in the Project area.

Faults and Seismicity

Earthquakes are prime considerations in the design and retrofit of structures in the State of California. The California Department of Transportation (Caltrans) Department's Office of Earthquake Engineering is responsible for assessing the seismic hazard for Department projects. Caltrans uses the anticipated Maximum Credible Earthquake (MCE), a magnitude measure, to develop construction standards. The MCE is defined as the largest earthquake that can be expected to occur on a fault over a particular period of time.

As stated, the nearest known earthquake fault is the Elsinore Fault Zone, Whittier Section, located approximately 3.5 miles to the south of the Project area. This fault does not cross the Nogales Street grade separation portion of the proposed Project area and, therefore, no ground rupture would be expected to occur. However, due to the intense seismic environment of Southern California, there is always the potential for blind thrust faults, or otherwise unmapped faults that do not have a surface trace to be present. In addition, the Proposed Project would be required to comply with the seismic safety requirements in the Uniform Building Code and the California Department of Conservation's Geologic Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards. Therefore, adverse environmental effects related to fault rupture are not anticipated for the Proposed Project.

Liquefaction

The Nogales Street grade separation portion of the Proposed Project is primarily located outside of a designated liquefaction zone. However, southern sections of the Nogales Street grade separation portion of the Proposed Project remain within a designated liquefaction zone. As such, potential adverse impacts are anticipated with respect to liquefaction.

Gale Avenue/Walnut Drive Widening

Topography and Geology

The Proposed Project would improve traffic by widening a 0.83-mile-long segment of Gale Avenue/Walnut Drive at its intersection with Nogales Street. This improvement would be constructed within an existing transportation corridor, and would not significantly alter the topography of the area. In addition, as stated, there are no unique geologic or physical features in the Project area. Therefore, the widening of Gale Avenue/Walnut Drive would not adversely impact uniquely geologic or physical features in the vicinity of the Proposed Project.

The result of the Phase I ESA show that soils in the Project area for the Gale Avenue/Walnut Drive widening consist of sands, silts, and clay, indicating some potential for encountering expansive soils. The proximity to the San Jose Hills, where clayey formation sedimentary rock is present, additionally indicates that expansive soils may be present in the Project area. Potential adverse impacts would occur if expansive soils were found to be present in the Project area.

Faults and Seismicity

As stated, the nearest known earthquake fault is the Elsinore Fault Zone, Whittier Section, located approximately 3.5 miles to the south of the Project area. This fault does not cross the Project area at the Gale/Walnut Drive Widening; therefore, surface fault rupture is not likely to occur. In addition, the Proposed Project would be required to comply with the seismic safety requirements in the Uniform Building Code and the California Department of Conservation's Geologic Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards. Therefore, adverse environmental effects related to fault rupture are not anticipated for the Proposed Project.

Liquefaction

Significant portions of the Gale Avenue/Walnut Drive widening portion of the Proposed Project are located within a designated liquefaction zone. As such, potential adverse impacts are anticipated with respect to liquefaction.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

Topography and Geology

Soil testing as part of a Phase II ESA shall be performed prior to Project construction and the Proposed Project shall comply with all recommendations included in the Phase II ESA. Should localized expansive soils be identified, they shall not be used as structural or permeable backfill. Appropriate geotechnical design techniques shall be implemented to address the potential for seismically induced ground liquefaction and settlement. Design of the Proposed Project shall incorporate current seismic design standards, as guided by the County of Los Angeles and Caltrans, to withstand seismic ground shaking that would result from a maximum credible earthquake.

Standard erosion control Best Management Practices (BMPs) shall be used to minimize erosion during construction. Retaining walls or slopes with appropriate vegetation shall be constructed for long-term

slope stabilization. Where appropriate, erosion prevention planting shall be used in conjunction with a geofabric.

With implementation of these measures, impacts related to topography and geology will not be considered adverse.

Faults and Seismicity

No adverse impacts associated with fault rupture are anticipated, therefore, no mitigation measures are required.

Liquefaction

Potential adverse impacts are anticipated with respect to liquefaction for the southern section of the Nogales Street grade separation Project area and for the entire Gale Avenue/Walnut Drive widening Project area. As such, the Proposed Project shall comply with the Uniform Building Code regarding liquefaction and all Caltrans requirements for constructing roadways in liquefaction-prone areas. With implementation of these mitigation measures, impacts associated with liquefaction would not be considered adverse.

2.2.4 HAZARDOUS WASTE

AFFECTED ENVIRONMENT

A Phase I ESA was conducted by MAA Engineering Consultants, which included an environmental records search and geotechnical assessment. The search of federal, State, County, and various environmental records was performed through Environmental Data Resources (EDR) in accordance with American Society for Testing and Materials (ASTM) standard practice. The Phase I ESA indicated that no National Priority List (NPL) sites are located in the vicinity of the Project area.[33]

The database search identified two potential hazardous waste sites within 0.125 miles of the Project area: Elite Auto Body and a Mobil Gas Station. Elite Auto Body, located to the north of the Project area, is classified as a small quantity generator of paint sludge. The Mobile Gas Station, located on the northwest corner of the intersection of Gale Avenue and Nogales Street, is known to have underground storage tanks (USTs) that store gasoline. Twelve other sites were identified within 0.25 miles of the Project area.[34] Groundwater in the Project area is shallow (approximately 20 feet deep) and, therefore, the potential for contamination exists.[35]

The Department of Toxic Substances Control (DTSC) under California Environmental Protection Agency (CalEPA) maintains a list of potential hazardous waste sites, known as the Cortese List. The Cortese List contains information on hazardous waste facilities subject to corrective action (i.e., remediation), all land designated as hazardous waste property, all information received by DTSC on hazardous waste disposals on public lands, all sites listed pursuant to Section 25356 of the Health and Safety Code and all sites included in the Abandoned Site Assessment Program. Three sites within 0.5 mile of the Project area are contained on the Cortese List[36] with a status of either undergoing assessment or remediation. Three sites located in the area of the Gale Avenue/Walnut Drive widening portion of the Proposed Project are currently on the Cortese List as Leaking Underground Storage Tank (LUST) cleanup sites. These properties include a Mobil gas station located at 1025 Nogales Street (remediation), a car wash located at 1100 Nogales Street (remediation) and plating company located at 1040 Otterbein Avenue (assessment).

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

The Phase I ESA completed for the Proposed Project did not identify hazardous materials in the Nogales Street grade separation portion of the Proposed Project. However, in the Project area, there is a receiving-only recycling facility that has the potential to contain soil and/or groundwater contamination depending upon the history of its use. Implementation of the Proposed Project may potentially require displacement of the recycling facility. In the event that displacement is required, and hazardous materials are discovered, remediation would be required in accordance with State law. A potential adverse impact is anticipated with the displacement of this property.

During construction of the Nogales Street grade separation, the contractor will be required to remove any on-site waste and dispose of it in accordance with federal, State, and local regulations. ~~In order to complete the detour route during construction of the Nogales Street grade separation, easements would be~~

[33]MAA Engineering Consultants, *Phase I Environmental and Geotechnical Site Assessment*, May 1999.

[34]*Ibid.*

[35]Group Delta, *Draft Geotechnical Report: Alameda Corridor - East*, September 1999.

[36]California Environmental Protection Agency Department of Toxic Substances Control, Cortese List, available at http://www.calepa.ca.gov/sitecleanup/CorteseList/default.htm, accessed August 20, 2008.

~~required along Otterbein Avenue. A portion of the plating company located at 1040 Otterbein Avenue, a Cortese List site, may be temporarily used to widen Otterbein Avenue during construction. This would have the potential to expose hazardous materials. As such, potential adverse impacts are anticipated during construction.~~ *(Refer to Section 3 Comments and Outreach for discussion of Charlie Road Detour.)*

Ongoing operations of the Nogales Street grade separation would not generate hazardous wastes. No adverse impacts associated with construction or operational generation and disposal of hazardous materials are anticipated.

Gale Avenue/Walnut Drive Widening

The Mobil gas station would be acquired as part of the Gale Avenue/Walnut Drive portion of the Proposed Project. The Mobil gas station was identified as a site containing LUSTs that is currently under remediation. Additionally, the car wash located at 1100 Nogales Street would also be impacted due to the Gale Avenue/Walnut Drive portion of the Proposed Project. Due to the location of these two hazardous materials site in the Project area, a potential adverse impact is anticipated.

During construction of the Gale Avenue/Walnut Drive widening, the contractor will be required to remove any on-site waste and dispose of it in accordance with federal, State, and local regulations. Ongoing operations of the Gale Avenue/Walnut Drive widening would not generate hazardous wastes. No adverse impacts associated with construction or operational generation and disposal of hazardous materials are anticipated.

MEASURES TO MINIMIZE MITIGATION

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

Project impacts related to hazardous waste would be avoided by (1) conducting and following the recommendations of a Phase II ESA that will further characterize hazardous waste potential at the site, including the potential for encountering contaminated groundwater, soils, and/or aerially-deposited lead; and (2) preparing and implementing the following plans prior to construction: health and safety plan, waste management plan, sampling and analysis plan, and a work plan for the remediation of any hazardous wastes encountered. The work plan shall include provisions such as if during construction of the proposed project, groundwater or soil contamination is suspected, construction in the area shall stop, and appropriate health and safety procedures shall be implemented. Appropriate health and safety procedures include removal, on-site treatment (if necessary), and safe transport of contaminated soils and materials to approved hazardous materials disposal sites. The remediation process shall be overseen by the DTSC. With implementation of these measures, impacts related to hazardous waste will not be considered adverse.

2.2.5 AIR QUALITY

AFFECTED ENVIRONMENT

Pollutants and Effects

Criteria air pollutants are defined as pollutants for which the federal and State governments have established ambient air quality standards for outdoor concentrations to protect public health. The federal and State standards have been set at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include CO, ozone (O_3), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), $PM_{2.5}$, PM_{10}, and lead (Pb). These pollutants are discussed below.

Carbon Monoxide. CO is a colorless and odorless gas formed by the incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas such as the project location, automobile exhaust accounts for the majority of CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly, so ambient CO concentrations generally follow the spacial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions, primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, a typical situation at dusk in urban areas between November and February.[37] The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent. In terms of health, CO competes with oxygen, often replacing it in the blood, thus reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can be dizziness, fatigue, and impairment of central nervous system functions.

Ozone. O_3 is a colorless gas that is formed in the atmosphere when reactive organic gases (ROG), which includes VOC, and NO_X react in the presence of ultraviolet sunlight. O_3 is not a primary pollutant; it is a secondary pollutant formed by complex interactions of two pollutants directly emitted into the atmosphere. The primary sources of ROG and NO_X, the components of O_3, are automobile exhaust and industrial sources. Meteorology and terrain play major roles in O_3 formation. Ideal conditions occur during summer and early autumn, on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. The greatest source of smog-producing gases is the automobile. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes.

Nitrogen Dioxide. NO_2, like O_3, is not directly emitted into the atmosphere but is formed by an atmospheric chemical reaction between nitric oxide (NO) and atmospheric oxygen. NO and NO_2 are collectively referred to as NO_X and are major contributors to O_3 formation. NO_2 also contributes to the formation of PM_{10}. High concentrations of NO_2 can cause breathing difficulties and result in a brownish-red cast to the atmosphere with reduced visibility. There is some indication of a relationship between NO_2 and chronic pulmonary fibrosis. Some increase of bronchitis in children (two and three years old) has also been observed at concentrations below 0.3 ppm.

Sulfur Dioxide. SO_2 is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Main sources of SO_2 are coal and oil used in power plants and industries. Generally, the

[37] Inversion is an atmospheric condition in which a layer of warm air traps cooler air near the surface of the earth, preventing the normal rising of surface air.

highest levels of SO_2 are found near large industrial complexes. In recent years, SO_2 concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO_2 and limits on the sulfur content of fuels. SO_2 is an irritant gas that attacks the throat and lungs. It can cause acute respiratory symptoms and diminished ventilator function in children. SO_2 can also yellow plant leaves and erode iron and steel.

Particulate Matter. Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter also forms when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. $PM_{2.5}$ and PM_{10} represent fractions of particulate matter. Fine particulate matter, or $PM_{2.5}$, is roughly 1/28 the diameter of a human hair. $PM_{2.5}$ results from fuel combustion (e.g. motor vehicles, power generation, and industrial facilities), residential fireplaces, and wood stoves. In addition, $PM_{2.5}$ can be formed in the atmosphere from gases such as SO_2, NO_X, and VOC. Inhalable particulate matter, or PM_{10}, is about 1/7 the thickness of a human hair. Major sources of PM_{10} include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions.

$PM_{2.5}$ and PM_{10} pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. $PM_{2.5}$ and PM_{10} can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances, such as lead, sulfates, and nitrates can cause lung damage directly. These substances can be absorbed into the blood stream and cause damage elsewhere in the body. These substances can transport absorbed gases, such as chlorides or ammonium, into the lungs and cause injury. Whereas PM_{10} tends to collect in the upper portion of the respiratory system, $PM_{2.5}$ is so tiny that it can penetrate deeper into the lungs and damage lung tissues. Suspended particulates also damage and discolor surfaces on which they settle, as well as produce haze and reduce regional visibility.

Lead. Pb in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturers of batteries, paint, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phase-out of leaded gasoline reduced the overall inventory of airborne lead by nearly 95 percent. With the phase-out of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities have become lead-emission sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth.

Toxic Air Contaminants. A substance is considered toxic if it has the potential to cause adverse health effects in humans. A toxic substance released into the air is considered a toxic air contaminant (TAC). TACs are identified by State and federal agencies based on a review of available scientific evidence. In the State of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act, Assembly Bill 1807, Tanner. This two-step process of risk identification and risk management was designed to protect residents from the health effects of toxic substances in the air.

The SCAQMD has a long and successful history of reducing air toxics and criteria emissions in the South Coast Air Basin (Basin). SCAQMD has an extensive control program, including traditional and innovative rules and policies. These policies can be viewed in the SCAQMD's *Air Toxics Control Plan for the Next Ten Years* (March 2000).

To date, the most comprehensive study on air toxics in the Basin is the Multiple Air Toxics Exposure Study (MATES-III), conducted by the SCAQMD. The monitoring program measured more than 30 air pollutants, including both gases and particulates. The monitoring study was accompanied by a computer modeling study in which SCAQMD estimated the risk of cancer from breathing toxic air pollution throughout the region based on emissions and weather data. MATES-III found that the average cancer risk in the region from carcinogenic air pollutants ranges from about 870 in a million to 1,400 in a million, with an average regional risk of about 1,200 in a million.

Greenhouse Gases. Greenhouse gas (GHG) emissions refer to a group of emissions that are generally believed to affect global climate conditions. Simply put, the greenhouse effect compares the Earth and the atmosphere surrounding it to a greenhouse with glass panes. The glass panes in a greenhouse let heat from sunlight in and reduce the amount of heat that escapes. GHGs, such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), keep the average surface temperature of the Earth close to 60 degrees Fahrenheit (°F). Without the greenhouse effect, the Earth would be a frozen globe with an average surface temperature of about 5°F.

In addition to CO_2, CH_4, and N_2O, GHGs include hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and water vapor. Of all the GHGs, CO_2 is the most abundant pollutant that contributes to climate change through fossil fuel combustion. CO_2 comprised 81 percent of the total GHG emissions in California in 2002 and non-fossil fuel CO_2 comprised 2.3 percent.[38] The other GHGs are less abundant but have higher global warming potential than CO_2. To account for this higher potential, emissions of other GHGs are frequently expressed in the equivalent mass of CO_2, denoted as CO_2e. The CO_2e of CH_4 and N_2O represented 6.4 and 6.8 percent, respectively, of the 2002 California GHG emissions. Other high global warming potential gases represented 3.5 percent of these emissions.[39] In addition, there are a number of man-made pollutants, such as CO, NO_X, non-methane VOC, and SO_2, that have indirect effects on terrestrial or solar radiation absorption by influencing the formation or destruction of other climate change emissions.

Regulatory Setting

The Federal Clean Air Act (CAA) governs air quality in the United States. In addition to being subject to the requirements of CAA, air quality in California is also governed by more stringent regulations under the California Clean Air Act (CCAA). At the federal level, CAA is administered by the United States Environmental Protection Agency (USEPA). In California, the CCAA is administered by the California Air Resources Board (CARB) at the State level and by the air quality management districts and air pollution control districts at the regional and local levels.

Federal Regulations. The CAA as amended in 1990 is the federal law that governs air quality. The CAA sets standards for the quantity of pollutants that can be in the air. These standards are called National Ambient Air Quality Standards (NAAQS). Standards have been established for six criteria pollutants that have been linked to potential health concerns; the criteria pollutants are: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM), lead (Pb), and sulfur dioxide (SO_2).

[38]California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006, p. 11.

[39]*Ibid.*

Under the 1990 Clean Air Act Amendments, the United States Department of Transportation cannot fund, authorize, or approve federal actions to support programs or projects that are not first found to conform to State Implementation Plan for achieving the goals of the CAA requirements. Conformity with the CAA takes place on two levels—first, at the regional level and second, at the project level. The proposed project must conform at both levels to be approved. Regional level conformity in California is concerned with how well the region is meeting the standards set for carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), and particulate matter (PM). California is in attainment for the other criteria pollutants. At the regional level, Regional Transportation Plans (RTP) are developed that include all of the transportation projects planned for a region over a period of years, usually at least 20. Based on the projects included in the RTP, an air quality model is run to determine whether or not the implementation of those projects would conform to emission budgets or other tests showing that attainment requirements of the CAA are met. If the conformity analysis is successful, the regional planning organization, such as the Southern Association of Governments and the appropriate federal agencies, such as the Federal Highway Administration, make the determination that the RTP is in conformity with the State Implementation Plan for achieving the goals of the CAA. Otherwise, the projects in the RTP must be modified until conformity is attained. If the design and scope of the proposed transportation project are the same as described in the RTP, then the proposed project is deemed to meet regional conformity requirements for purposes of project-level analysis.

Conformity at the project-level also requires "hot spot" analysis if an area is "nonattainment" or "maintenance" for carbon monoxide (CO) and/or particulate matter. A region is a "nonattainment" area if one or more monitoring stations in the region fail to attain the relevant standard. Areas that were previously designated as nonattainment areas but have recently met the standard are called "maintenance" areas. "Hot spot" analysis is essentially the same, for technical purposes, as CO or particulate matter analysis performed for NEPA purposes. Conformity does include some specific standards for projects that require a hot spot analysis. In general, projects must not cause the CO standard to be violated, and in "nonattainment" areas the project must not cause any increase in the number and severity of violations. If a known CO or particulate matter violation is located in the project vicinity, the project must include measures to reduce or eliminate the existing violation(s) as well.

State Regulations. The California Air Resources Board, which became part of the California Environmental Protection Agency in 1991, is responsible for meeting the State requirements of the CAA, administering the CCAA, and establishing the California Ambient Air Quality Standards (CAAQS). The CCAA, as amended in 1992, requires all air districts in the State to endeavor to achieve and maintain the CAAQS. The CAAQS are generally more stringent than the corresponding federal standards and incorporate additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. The CARB regulates mobile air pollution sources, such as motor vehicles. The CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. The CARB established passenger vehicle fuel specifications, which became effective in March 1996. The CARB oversees the functions of local air pollution control districts and air quality management districts, which, in turn administer air quality activities at the regional and county levels.

Local Regulations. The South Coast Air Quality Management District monitors air quality within the project area. The SCAQMD has jurisdiction over an area of 10,743 square miles, consisting of Orange County; the non-desert portions of Los Angeles, Riverside, and San Bernardino counties; and the Riverside County portion of the Salton Sea Air Basin and Mojave Desert Air Basin. The 1977 Lewis Air Quality Management Act created the SCAQMD to coordinate air quality planning efforts throughout Southern California. This Act merged four county air pollution control agencies into one regional district

to better address the issue of improving air quality in Southern California. Under the Act, renamed the Lewis-Presley Air Quality Management Act in 1988, the SCAQMD is the agency principally responsible for comprehensive air pollution control in the region. Specifically, the SCAQMD is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain State and federal ambient air quality standards in the district. Programs that were developed include air quality rules and regulations that regulate stationary sources, area sources, point sources, and certain mobile source emissions. The SCAQMD is also responsible for establishing stationary source permitting requirements and for ensuring that new, modified, or relocated stationary sources do not create net emission increases.

The Basin is a subregion of the SCAQMD and covers an area of 6,745 square miles. The Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The Basin is bounded by the Pacific Ocean to the west; the San Gabriel, San Bernardino and San Jacinto Mountains to the north and east; and the San Diego County line to the south (**Figure 2.2-1**).

Climate Change. While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years.[40] In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the State level. AB 1493 requires the CARB to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations will apply to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that the CARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs State agencies to begin implementing AB 32, including the recommendations made by the State's Climate Action Team. With Executive Order S-01-07, Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this executive order, the carbon intensity of California's transportation fuels is to be reduced by at least ten percent by 2020.

[40]Greenhouse gases related to human activity, as identified in AB 32, include: carbon dioxide, methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23, HFC-134, and HFC-152.

LEGEND:

South Coast Air Basin

State of California

SOURCE: California Air Resources Board, State and Local Air Monitoring Network Plan, October 1998

Approx. Scale

N

0 75 150 Miles

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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FIGURE 2.2-1

SOUTH COAST AIR BASIN

Climate change and GHG reduction is also a concern at the federal level; at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. However, California, in conjunction with several environmental organizations and several other states, sued to force the USEPA to regulate GHGs as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al*., U.S. Supreme Court No. 05–1120. 549 U.S. Argued November 29, 2006—Decided April 2, 2007). The court ruled that GHGs do fit within the Clean Air Act's definition of a pollutant, and that the USEPA does have the authority to regulate GHGs. Despite the Supreme Court ruling, there are no promulgated federal regulations to date limiting GHG emissions.

National and California Ambient Air Quality Standards and Attainment Status

As required by the CAA, NAAQS have been established for seven major air pollutants: CO, NO_2, O_3, $PM_{2.5}$, PM_{10}, SO_2, and Pb. The CAA requires the USEPA to designate areas as attainment, nonattainment, or maintenance (previously nonattainment and currently attainment) for each criteria pollutant based on whether the NAAQS have been achieved. The federal standards are summarized in **Table 2.2-1**. The USEPA has classified the Basin as, maintenance for CO and nonattainment for O_3, $PM_{2.5}$, and PM_{10}.

As discussed above, the CAAQS are generally more stringent than the corresponding federal standards (NAAQS), and are used as the comparative standard in the air quality analysis contained in this report. The State standards are summarized in **Table 2.2-1**.

Table 2.2-1
State and National Ambient Air Quality Standards

Pollutant	Averaging Period	State Standards (concentration) /a/	Federal Standard (concentration)	
			Primary	Secondary
Ozone (O_3)	1 hour	0.09 ppm (180 µg/m^3)	--	Same as Primary Standards
	8 hour	0.070 ppm (137 µg/m^3)	0.075 ppm (147 µg/m^3)	
Respirable Particulate Matter (PM_{10})	24 hour	50 µg/m^3	150 µg/m^3	Same as Primary Standards
	Annual Arithmetic Mean	20 µg/m^3	--	
Fine Particulate Matter ($PM_{2.5}$)	24 hour	--	35 µg/m^3	Same as Primary Standards
	Annual Arithmetic Mean	12 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	None
	8 hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary Standards
	1 hour	0.18 ppm (338 µg/m^3)	--	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	--	0.030 ppm (80 µg/m^3)	--
	24 hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)	--
	3 hour	--	--	0.5 ppm (1300 µg/m^3)
	1 hour	0.25 ppm (655 µg/m^3)	--	--
Lead	30 day average	1.5 µg/m^3	--	--
	Calendar Quarter	--	1.5 µg/m^3	Same as Primary Standards

/a/ ppm = parts per million; µg/m^3 = micrograms per cubic meter; mg/m^3 =milligram per cubic meter.
SOURCE: California Air Resources Board, *Air Quality Standards*, April 1, 2008.

The CCAA requires CARB to designate areas within California as either attainment or non-attainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as non-attainment for a pollutant if air quality data shows that a State standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events are not considered violations of a State standard and are not used as a basis for designating areas as nonattainment. Under the CCAA, the Los Angeles County portion of the Basin is designated as a nonattainment area for O_3, $PM_{2.5}$, and PM_{10}.[41]

Air Quality Management Plan

All areas designated as nonattainment under the CCAA are required to prepare plans showing how the area would meet the State air quality standards by its attainment dates. The AQMP is the region's plan for improving air quality in the region. It addresses CAA and CCAA requirements and demonstrates attainment with State and federal ambient air quality standards. The AQMP is prepared by SCAQMD and the Southern California Association of Governments (SCAG). The AQMP provides policies and

[41]CARB, Area Designation Maps, available at http://www.arb.ca.gov/desig/adm/adm.htm.

control measures that reduce emissions to attain both State and federal ambient air quality standards by their applicable deadlines. Environmental review of individual projects within the Basin must demonstrate that daily construction and operational emissions thresholds, as established by the SCAQMD, would not be exceeded. The environmental review must also demonstrate that individual projects would not increase the number or severity of existing air quality violations.

The 2007 AQMP was adopted by the SCAQMD on June 1, 2007. The 2007 AQMP proposes attainment demonstration of the federal $PM_{2.5}$ standards through a more focused control of SO_X, directly-emitted $PM_{2.5}$, and NO_X supplemented with VOC by 2015. The eight-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NO_X and VOC reductions to meet the standard by 2024. The 2007 AQMP also addresses several federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. The 2007 AQMP is consistent with and builds upon the approaches taken in the 2003 AQMP. However, the 2007 AQMP highlights the significant amount of reductions needed and the urgent need to identify additional strategies, especially in the area of mobile sources, to meet all federal criteria pollutant standards within the time frames allowed under the CAA.

Existing Air Quality

Air Pollution Climatology

The project site is located within the Los Angeles County portion of the Basin. Ambient pollution concentrations recorded in Los Angeles County are among the highest in the four counties comprising the Basin.

The Basin is in an area of high air pollution potential due to its climate and topography. The general region lies in the semi-permanent high pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds. The Basin experiences warm summers, mild winters, infrequent rainfalls, light winds, and moderate humidity. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds. The Basin is a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountains around the rest of its perimeter. The mountains and hills within the area contribute to the variation of rainfall, temperature, and winds throughout the region.

The Basin experiences frequent temperature inversions. Temperature typically decreases with height. However, under inversion conditions, temperature increases as altitude increases, thereby preventing air close to the ground from mixing with the air above it. As a result, air pollutants are trapped near the ground. During the summer, air quality problems are created due to the interaction between the ocean surface and the lower layer of the atmosphere. This interaction creates a moist marine layer. An upper layer of warm air mass forms over the cool marine layer, preventing air pollutants from dispersing upward. Additionally, hydrocarbons and NO_2 react under strong sunlight, creating smog. Light, daytime winds, predominantly from the west, further aggravate the condition by driving air pollutants inland, toward the mountains. During the fall and winter, air quality problems are created due to CO and NO_2 emissions. CO concentrations are generally worse in the morning and late evening (around 10:00 p.m.). In the morning, CO levels are relatively high due to cold temperatures and the large number of cars traveling. High CO levels during the late evenings are a result of stagnant atmospheric conditions trapping CO in the area. Since CO emissions are produced almost entirely from automobiles, the highest CO concentrations in the Basin are associated with heavy traffic. NO_2 concentrations are also generally higher during fall and winter days.

Local Climate

The mountains and hills within the Basin contribute to the variation of rainfall, temperature, and winds throughout the region. Within the project vicinity, the average wind speed, as recorded at the Pico Rivera Wind Monitoring Station, is approximately 4.6 miles per hour, with calm winds occurring approximately 11 percent of the time. Wind in the vicinity of the project site predominately blows from the southwest.[42]

The annual average temperature in the project area is 62.7 degrees Fahrenheit (°F). The project area experiences an average winter temperature of approximately 53.3°F and an average summer temperature of approximately 72.5°F. Total precipitation in the project area averages approximately 19 inches annually. Precipitation occurs mostly during the winter and relatively infrequently during the summer. Precipitation averages approximately 11 inches during the winter, approximately 5 inches during the spring, approximately 3 inches during the fall, and less than one inch during the summer.[43]

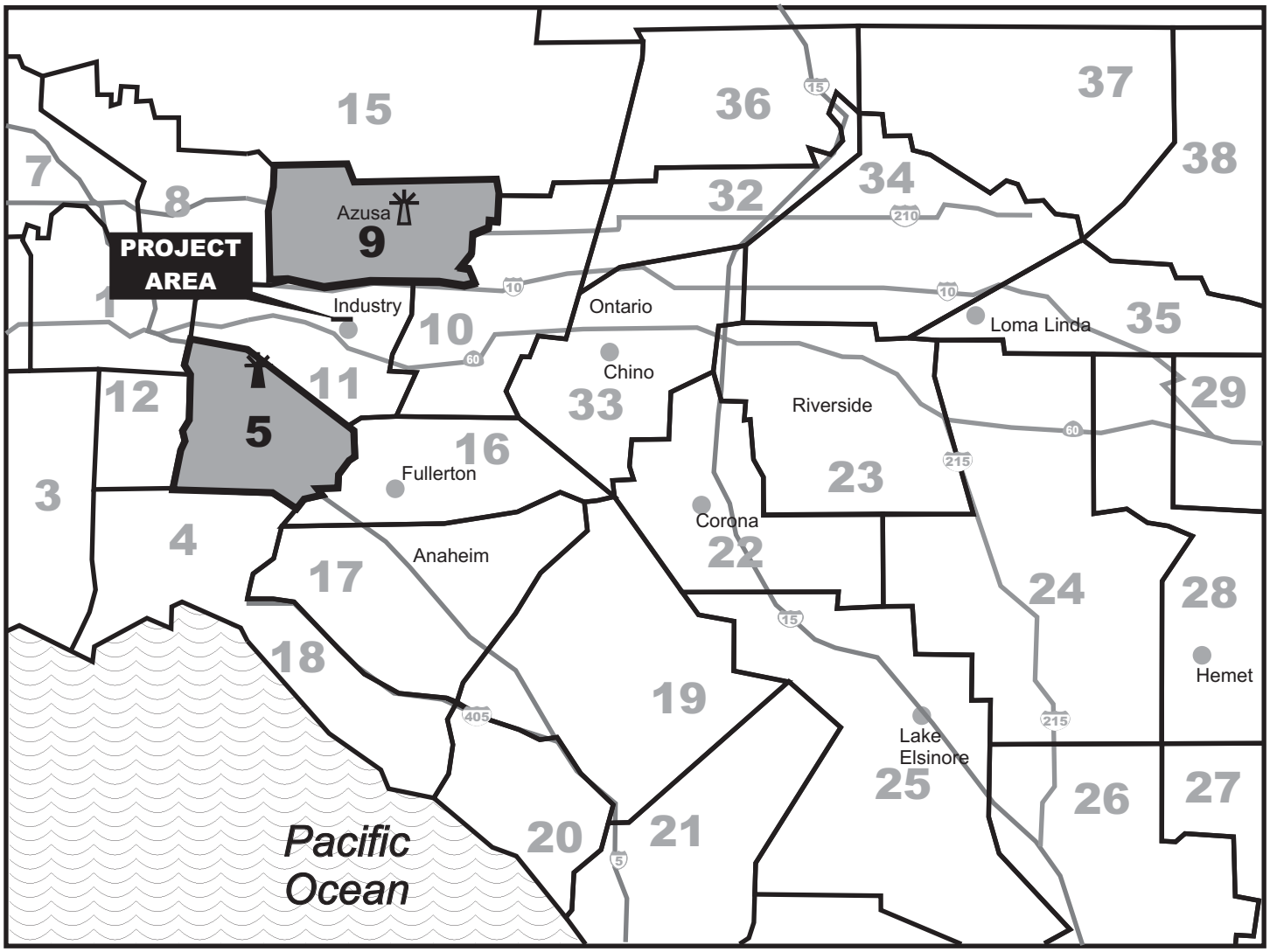
Air Monitoring Data

The SCAQMD monitors air quality conditions at 38 locations throughout the Basin. The nearest monitoring station to the project area is the Pico Rivera Monitoring Station, and the data from this monitoring station best reflects conditions in the project area (**Figure 2.2-2**). The Pico Rivera Monitoring Station does not monitor PM_{10}. The nearest station that monitors PM_{10} is the Azusa Monitoring Station, which is located approximately ten miles north of the City of Industry. Data regarding PM_{10} concentration in the Project area was used from this monitoring station.

Table 2.2-2 shows pollutant levels, the State standards, and the number of exceedances recorded at the applicable monitoring stations from 2005 to 2007 (2008 SCAQMD data was not available at the time this report was prepared. The CAAQS for the criteria pollutants are also shown in the table. As **Table 2.2-2** indicates, criteria pollutants CO and NO_2 did not exceed the CAAQS and NAAQS during the 2005 through 2007 period. However, the one-hour State standard for O_3 was exceeded six to nine times during this period, the eight-hour State standard for O_3 was exceeded five to nine times, and the eight-hour federal standard was exceeded three to five times. Additionally, the 24-hour State standard for PM_{10} was exceeded seven to 12 times, and the eight-hour federal standard was exceeded five to seven times during this period. The annual State standard for $PM_{2.5}$ was exceeded in 2005, 2006 and 2007. A summary of the data recorded at the monitoring station is located in Appendix A.

[42]SCAQMD, Meteorological Data, available at http://www.aqmd.gov/smog/metdata/MeteorologicalData.html (Appendix A).

[43]Western Regional Climate Center, Historical Climate Information, available at http://www.wrcc.dri.edu, (Appendix A).



LEGEND: Pico Rivera Monitoring Station Azusa Monitoring Station Project Area

Air Monitoring Areas in Los Angeles County:

1. Central Los Angeles
2. Northwest Coastal
3. Southwest Coastal
4. South Coastal
5. Southeast Los Angeles County
6. West San Fernando Valley
7. East San Fernando Valley
8. West San Gabriel Valley
9. East San Gabriel Valley
10. Pomona/Walnut Valley
11. South San Gabriel Valley
12. South Central Los Angeles
13. Santa Clarita Valley
14. Antelope Valley
15. San Gabriel Mountains
16. North Orange County
17. Central Orange County
18. North Orange County Coastal
19. Saddleback Valley
20. Central Orange County Coastal
31. East Riverside County
32. Northwest San Bernardino Valley
33. Southwest San Bernardino Valley
34. Central San Bernardino Valley
35. East San Bernardino Valley
36. West San Bernardino Mountains
37. Central San Bernardino Mountains
38. Big Bear Lake

N

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Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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FIGURE 2.2-2

AIR MONITORING AREAS

Table 2.2-2
2005-2007 Air Quality Criteria Pollutant Violations

Pollutant	Standard (concentration) /a/		Number of Days above Standard					
			2005		2006		2007	
	Federal	State	Fed.	State	Fed.	State	Fed.	State
Ozone (1-hr)	0.12 ppm (hourly) /b/	0.09 ppm (hourly)	0 /c/	0 /c/	1 /c/	9 /c/	2	6
Ozone (8-hr)	0.08 ppm (8-hour avg.)	0.07 ppm (8-hour avg.)	0 /c/	0 /c/	3 /c/	5 /c/	5 /f/	9
Carbon Monoxide (1-hr)	35 ppm (hourly)	20 ppm (hourly)	0 /c/	0 /c/	0 /c/	0 /c/	0	0
Carbon Monoxide (8-hr)	9.5 ppm (8-hour avg.)	9.0 ppm (8-hour avg.)	0 /c/	0 /c/	0 /c/	0 /c/	0	0
Nitrogen Dioxide /d/	N/A	0.25 ppm (hourly)	N/A	0 /c/	N/A	0 /c/	N/A	0
PM_{10}	150 $\mu g/m^3$ (24-hour avg.)	50 $\mu g/m^3$ (24-hour avg.)	0	12	0	7	0 /g/	11 /g/
$PM_{2.5}$ /e/	65 $\mu g/m^3$ (24-hour avg.)	N/A	0	N/A	7	N/A	5	N/A

/a/ ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter; mg/m^3 =milligram per cubic meter
/b/ The federal 1-hour ozone standard was revoked and replaced by the 8-hour average ozone standard effective June 15, 2004.
/c/ Less than 12 full months of data; may not be representative.
/d/ There is no federal daily standard for NO_2. The federal NO_2 standard is an annual arithmetic mean of 0.053 ppm. Therefore, no information is available regarding number of days above the standard.
/e/ There is no state daily standard for $PM_{2.5}$. The state $PM_{2.5}$ standard is an annual arithmetic mean of 12 $\mu g/m^3$. Therefore, there is no information available regarding number of days above the standard.
/f/ The US EPA has revised the federal 8-hour ozone standard from 0.084 to 0.075 ppm, effective May 27, 2008.
/g/ The July 5, 2007 PM_{10} sample of 165 ug/m^3 (fireworks displays), was excluded from compliance consideration in accordance with the EPA Exceptional Event Regulation.
SOURCE: South Coast Air Quality Management District, Historical Data by Year (2005-2007); California Air Resources Board, Air Quality Data Statistics (2005-2007).

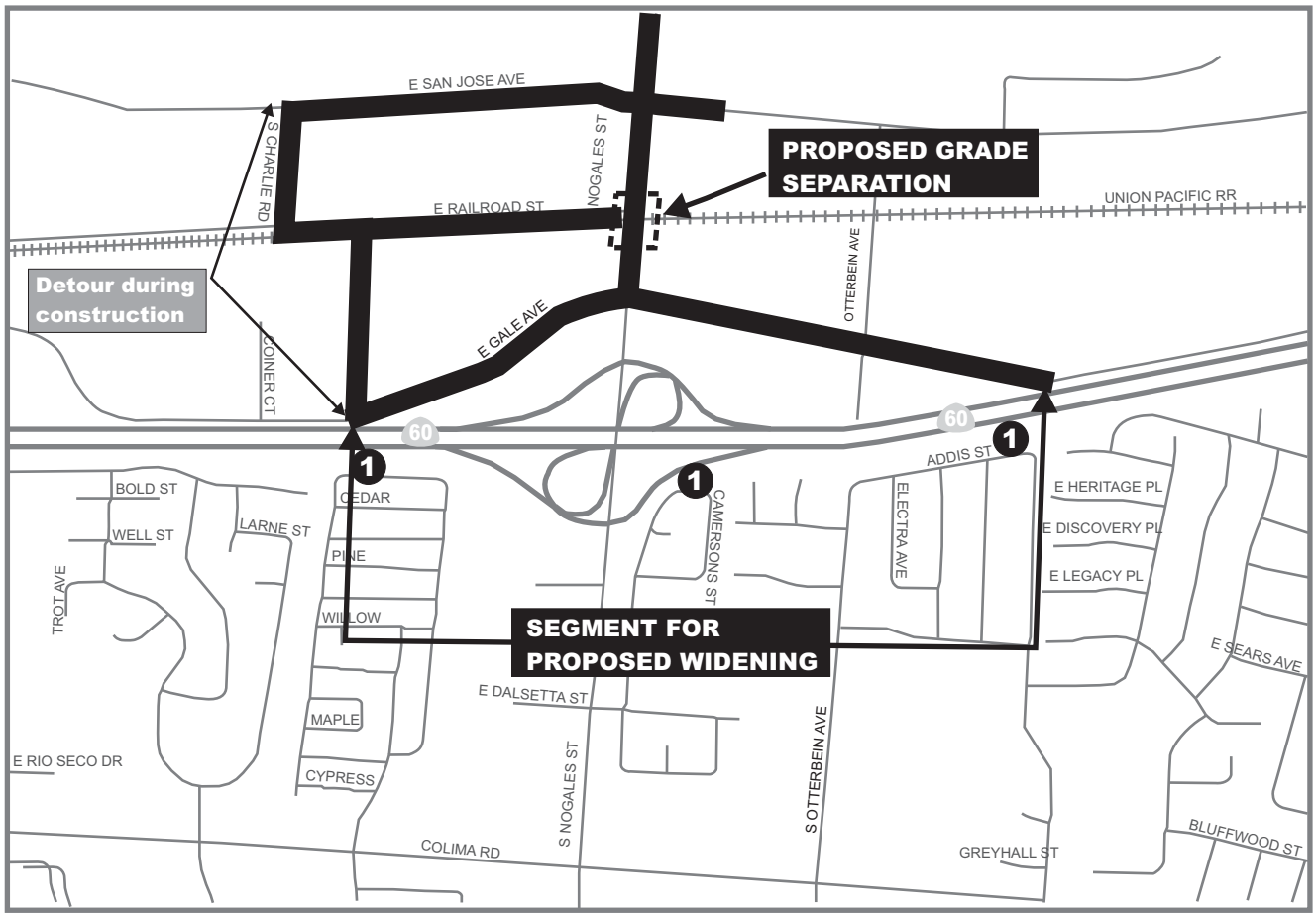
Background Carbon Monoxide Conditions

SCAQMD defines the ambient CO level as the highest reading over the past three years. A review of data from the Pico Rivera Station for the 2005 to 2007 period indicates that the one- and eight-hour background concentrations are approximately 5 and 2.9 ppm, respectively. Accordingly, the existing background concentrations do not exceed the State one- and eight-hour CO standards of 20 and 9.0 ppm, respectively. In addition, the concentrations do not exceed the federal one- and eight-hour CO standards of 35 and 9 ppm, respectively.

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. CARB has identified the following typical groups who are most likely to be affected by air pollution: children under 14, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, schools, playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

Based on a review of aerial photographs, land use maps, and field visits, the closest sensitive receptors are single-family residences approximately 200 meters (656 feet) south of the project site (**Figure 2.2-3**).



LEGEND: Project Area

(#) Sensitive Receptor

1. Single-Family Residences

SOURCE: TAHA, 2009.

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

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FIGURE 2.2-3

AIR QUALITY
SENSITIVE RECEPTORS

Additional sensitive receptors are located in the surrounding community within one-quarter mile of the project site and may be impacted by the proposed project to a lesser degree than the closest receptor.

Methodology And Significance Criteria

Methodology

The construction analysis is based on the Sacramento Air Quality Management District's Roadway Construction Emissions Model (Version 6.3). This model uses EMFAC2007 and OFFROAD2007 to calculate construction emissions. The operational analysis was based on information contained in the *Alameda Corridor East Air Quality Technical Report* prepared by De Leuw, Cather & Company.[44]

The proposed project does not contain lead emissions sources. Therefore, emissions and concentrations related to this pollutant are not analyzed in this report.[45]

In order to evaluate the potential for adverse impacts during operations, SCAQMD policies and pollutant concentration thresholds (**Table 2.2-3**) were consulted.

Table 2.2-3
SCAQMD Daily Operational Emissions Thresholds

Criteria Pollutant	Pounds Per Day
Volatile Organic Compounds (VOC)	55
Nitrogen Oxides (NO_X)	55
Carbon Monoxide (CO)	550
Sulfur Oxides (SO_X)	150
Fine Particulates ($PM_{2.5}$)	55
Particulates (PM_{10})	150
SOURCE: SCAQMD.	

ENVIRONMENTAL CONSEQUENCES

Operational Phase

Nogales Grade Separation and Gale Avenue/Walnut Drive Widening

Regional Impacts

The proposed project would reduce emissions of CO, VOC, and NO_X between 3.5 and 23.1 percent by the year 2020, which would be consistent with the objectives of the SCAQMD.[46] The air quality analysis also determined that CO concentrations resulting from implementation of the proposed project would be

[44]De Leuw, Cather & Company, *Alameda Corridor East Air Quality Technical Report*, March 2, 2000.

[45]Prior to 1978, mobile emissions were the primary source of lead resulting in air concentrations. Between 1978 and 1987, the phase-out of leaded gasoline reduced the overall inventory of airborne lead by nearly 95 percent. Currently, industrial sources are the primary source of lead resulting in air concentrations. Since the proposed project does not contain an industrial component, lead emissions are not analyzed in this report.

[46]De Leuw, Cather & Company, *Alameda Corridor East Air Quality Technical Report*, March 2, 2000.

reduced by one percent in the year 2020. The emission reductions are a result of decreased idling associated with eliminating the at-grade crossing and decreasing roadway congestion through widening.

Localized Impacts – CO Hotspots

The widening and reconfiguration of Gale Avenue/Walnut Drive at its intersection with Nogales Street would decrease intersection congestion, thereby reducing vehicle idling time and traffic congestion. With improved traffic flow, CO concentrations at the intersection are anticipated to be lower than existing conditions. Additionally, the proposed road widening is not anticipated to generate any new vehicle trips since no land use development is being proposed. Thus, CO concentrations are not anticipated to increase.

Toxic Air Contaminant Impacts

The Federal Highway Administration published project-level Mobile Source Air Toxics assessment guidance in February 2006.[47] The guidance indicates that a qualitative analysis should be completed for projects where design year traffic does not exceed annual average daily traffic (annual average daily traffic) volumes of 140,000 vehicles. Gale Avenue/Walnut Drive and Nogales Street would have an annual average daily traffic of less than 140,000 vehicles. The Mobile Source Air Toxics analysis followed the Federal Highway Administration qualitative guidance.

In addition to the criteria air pollutants for which there are National Ambient Air Quality Standards, the USEPA also regulates air toxics. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources (e.g., airplanes), area sources (e.g., dry cleaners) and stationary sources (e.g., factories or refineries).

Mobile Source Air Toxics are a subset of the 188 air toxics defined by the CAA. The Mobile Source Air Toxics are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuels and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The USEPA is the lead federal agency for administering the CAA and has certain responsibilities regarding the health effects of Mobile Source Air Toxics. The USEPA issued a Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources (Code of Federal Regulations, Title 66, Section 17229, March 29, 2001). This rule was issued under the authority in Section 202 of the CAA. In its rule, the USEPA examined the impacts of existing and newly promulgated mobile source control programs, including its reformulated gasoline program, its national low emission vehicle standards, its Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and its proposed heavy duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements. Between 2000 and 2020, FHA projects that even with a 64 percent increase in vehicle miles traveled (vehicle miles traveled), these programs will reduce on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 57 percent to 65 percent, and will reduce on-highway diesel particulate matter emissions by 87 percent. As a result, the USEPA concluded that no further motor vehicle emissions standards or fuel standards were necessary to further control Mobile Source Air Toxics. The USEPA is preparing another rule under authority of CAA Section 202(l) that will address these issues and could make adjustments to the full 21 and the primary six Mobile Source Air Toxics.

[47] FHWA, *Interim Guidance on Air Toxic Analysis in NEPA Documents*, February 3, 2006.

The following analysis is based on language contained in Federal Highway Administration guidance.[48]

1. Unavailable Information for Project Specific Mobile Source Air Toxics Impact Analysis

Evaluating the environmental and health impacts from Mobile Source Air Toxics on a proposed highway project would involve several key elements, including emissions modeling, dispersion modeling in order to estimate ambient concentrations resulting from the estimated emissions, exposure modeling in order to estimate human exposure to the estimated concentrations, and then final determination of health impacts based on the estimated exposure. Each of these steps is encumbered by technical shortcomings or uncertain science that prevents a more complete determination of the Mobile Source Air Toxics health impacts of this project. Due to these limitations, the following discussion is included in accordance with California Environmental Quality regulations (Code of Federal Regulations, Title 40, Section 1502.22(b)) regarding incomplete or unavailable information:

- **Emissions:** The United States Environmental Protection Agency tools to estimate Mobile Source Air Toxics emissions from motor vehicles are not sensitive to key variables determining emissions of Mobile Source Air Toxics in the context of highway projects. While MOBILE 6.2 is used to predict emissions at a regional level, it has limited applicability at the project level. MOBILE 6.2 is a trip-based model--emission factors are projected based on a typical trip of 7.5 miles, and on average speeds for this typical trip. This means that MOBILE 6.2 does not have the ability to predict emission factors for a specific vehicle operating condition at a specific location at a specific time. Because of this limitation, MOBILE 6.2 can only approximate the operating speeds and levels of congestion likely to be present on the largest-scale projects and cannot adequately capture emissions effects of smaller projects. For particulate matter, the model results are not sensitive to average trip speed although the other Mobile Source Air Toxics emission rates do change with changes in trip speed. Also, the emissions rates used in MOBILE 6.2 for both particulate matter and Mobile Source Air Toxics are based on a limited number of tests of mostly older-technology vehicles. Lastly, in its discussions of particulate matter under the conformity rule, the USEPA has identified problems with MOBILE 6.2 as an obstacle to quantitative analysis.

  These deficiencies compromise the capability of MOBILE 6.2 to estimate Mobile Source Air Toxics emissions. MOBILE 6.2 is an adequate tool for projecting emissions trends and performing relative analyses between alternatives for very large projects, but it is not sensitive enough to capture the effects of travel changes tied to smaller projects or to predict emissions near specific roadside locations.

- **Dispersion.** The tools to predict how Mobile Source Air Toxics disperse are also limited. The USEPA 's current regulatory models, CALINE4 and CAL3QHC, were developed and validated more than a decade ago for the purpose of predicting episodic concentrations of carbon monoxide to determine compliance with the National Ambient Air Quality Standards. The performance of dispersion models is more accurate for predicting maximum concentrations that can occur at some time at some location within a geographic area. This limitation makes it difficult to predict accurate exposure patterns at specific times at specific highway project locations across an urban area to assess

[48]FHWA, *Memorandum: Interim Guidance on Air Toxic Analysis in NEPA Documents*, February 3, 2006.

potential health risk. The National Cooperative Highway Research Program is conducting research on best practices in applying models and other technical methods in the analysis of Mobile Source Air Toxics. This work also will focus on identifying appropriate methods of documenting and communicating Mobile Source Air Toxics impacts in the Environmental Protection Agency National Environmental Policy Act process and to the general public. Along with these general limitations of dispersion models, Federal Highway Administration is also faced with a lack of monitoring data in most areas for use in establishing project-specific Mobile Source Air Toxics background concentrations.

- **Exposure Levels and Health Effects.** Finally, even if emission levels and concentrations of Mobile Source Air Toxics could be accurately predicted, shortcomings in current techniques for exposure assessment and risk analysis preclude us from reaching meaningful conclusions about project-specific health impacts. Exposure assessments are difficult because it is difficult to accurately calculate annual concentrations of Mobile Source Air Toxics near roadways and to determine the portion of a year that people are actually exposed to those concentrations at a specific location. These difficulties are magnified for 70-year cancer assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over a 70-year period. There are also considerable uncertainties associated with the existing estimates of toxicity of the various Mobile Source Air Toxics because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population. Consequently, any calculated difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with calculating the impacts. Therefore, the results of such assessments would not be useful to decision makers, who would need to weigh this information against other project impacts that are better suited for quantitative analysis.

2. Summary of Existing Credible Scientific Evidence Relevant to Evaluating the Impacts of Mobile Source Air Toxics

Research into the health impacts of Mobile Source Air Toxics is ongoing. For different emission types, scientific studies show that Mobile Source Air Toxics are statistically associated with adverse health outcomes through epidemiological studies (frequently based on emissions levels found in occupational settings) or that animals demonstrate adverse health outcomes when exposed to large doses.

Exposure to toxics has been a focus of a number of the USEPA efforts. Most notably, the agency conducted the National Air Toxics Assessment in 1996 to evaluate modeled estimates of human exposure applicable to the county level. While not intended for use as a measure of or benchmark for local exposure, the modeled estimates in the National Air Toxics Assessment database best illustrate the levels of various toxics when aggregated to a national or state level.

The USEPA is in the process of assessing the risks of various kinds of exposures to these pollutants. The USEPA Integrated Risk Information System is a database of human health effects that may result from exposure to various substances found in the environment. The Integrated Risk Information System database is located at http://www.epa.gov/iris. The following toxicity information for the six prioritized Mobile Source Air Toxics was taken from the Integrated Risk Information System database Weight of Evidence Characterization summaries. This information is taken verbatim from the USEPA's Integrated Risk Information System database and represents

the USEPA's most current evaluations of the potential hazards and toxicology of these chemicals or mixtures.

- **Benzene** is characterized as a known human carcinogen.

  The potential carcinogenicity of **acrolein** cannot be determined because the existing data are inadequate for an assessment of human carcinogenic potential for either the oral or inhalation route of exposure.

- **Formaldehyde** is a probable human carcinogen based on limited evidence in humans, and sufficient evidence in animals.

- **1,3-butadiene** is characterized as carcinogenic to humans by inhalation.

- **Acetaldehyde** is a probable human carcinogen based on increased incidence of nasal tumors in male and female rats and laryngeal tumors in male and female hamsters after inhalation exposure.

- **Diesel exhaust** is likely to be carcinogenic to humans by inhalation from environmental exposures. Diesel exhaust as reviewed in this document is the combination of diesel particulate matter and diesel exhaust organic gases.

- **Diesel exhaust** also represents chronic respiratory effects, possibly the primary noncancer hazard from Mobile Source Air Toxics. Prolonged exposures may impair pulmonary function and could produce symptoms, such as cough, phlegm, and chronic bronchitis. Exposure relationships have not been developed from these studies.

  There have been other studies that address Mobile Source Air Toxics health impacts in proximity to roadways. The Health Effects Institute, a non-profit organization funded by the USEPA, Federal Highway Administration, and industry, has undertaken a major series of studies to research near-roadway Mobile Source Air Toxics hot spots, the health implications of the entire mix of mobile source pollutants, and other topics. The final summary of the series is not expected for several years.

  Some recent studies have reported that proximity to roadways is related to adverse health outcomes -- particularly respiratory problems.[49] Much of this research is not specific to Mobile Source Air Toxics, instead surveying the full spectrum of both criteria and other pollutants. The Federal Highway Administration cannot evaluate the validity of these studies, but more importantly, they do not provide information that would be useful to alleviate the uncertainties listed above and enable us to perform a more comprehensive evaluation of the health impacts specific to this project.

[49]South Coast Air Quality Management District, Multiple Air Toxic Exposure Study-II (2000); Highway Health Hazards, The Sierra Club (2004) summarizing 24 Studies on the relationship between health and air quality); National Environmental Policy Act's Uncertainty in the Federal Legal Scheme Controlling Air Pollution from Motor Vehicles, Environmental Law Institute, 35 Environmental Law Review 10273 (2005) with health studies cited therein.

3. Relevance of Unavailable or Incomplete Information to Evaluating Reasonably Foreseeable Significant Adverse Impacts on the Environment, and Evaluation of Impacts Based upon Theoretical Approaches or Research Methods Generally Accepted in the Scientific Community

Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow us to reasonably predict relative emissions changes between alternatives for larger projects, the amount of Mobile Source Air Toxics emissions from each of the project alternatives and Mobile Source Air Toxics concentrations or exposures created by each of the project alternatives cannot be predicted with enough accuracy to be useful in estimating health impacts (As noted above, the current emissions model is not capable of serving as a meaningful emissions analysis tool for smaller projects.) Therefore, the relevance of the unavailable or incomplete information is that it is not possible to make a determination of whether each alternative would have "significant adverse impacts on the human environment."
In this document, the Federal Highway Administration has provided a qualitative analysis of Mobile Source Air Toxics emissions relative to each alternative and has acknowledged that each alternative may result in increased exposure to Mobile Source Air Toxics emissions in certain locations, although the concentrations and duration of exposures are uncertain. Because of this uncertainty, the health effects from these emissions cannot be estimated.

As discussed above, technical shortcomings of emissions and dispersion models and uncertain science with respect to health effects prevent meaningful or reliable estimates of Mobile Source Air Toxics emissions and effects of this project. However, even though reliable methods do not exist to accurately estimate the health impacts of Mobile Source Air Toxics at the project level, it is possible to qualitatively assess the levels of future Mobile Source Air Toxics emissions under the project. Although a qualitative analysis cannot identify and measure health impacts from Mobile Source Air Toxics, it can give a basis for identifying and comparing the potential differences among Mobile Source Air Toxics emissions-if any-from each alternative. The qualitative assessment presented below is derived in part from a study conducted by the Federal Highway Administration entitled A Methodology for Evaluating Mobile Source Air Toxic Emissions among Transportation Project Alternatives, found at: www.fhwa.dot.gov/environment/airtoxic/msatcompare/msatemissions.htm.

For each of the project alternatives, the amount of Mobile Source Air Toxics emitted would be proportional to the vehicle miles traveled, assuming that other variables, such as fleet mix, are the same for each alternative. Because the estimated countywide vehicle miles traveled under each of the alternatives would be the same, it is expected there would be no appreciable difference in overall Mobile Source Air Toxics emissions among the various alternatives. Also, regardless of the alternative chosen, emissions will likely be lower than present levels in the design year as a result of USEPA's national control programs that are projected to reduce Mobile Source Air Toxics emissions by 57 to 87 percent between 2000 and 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, vehicle miles traveled growth rates, and local control measures. However, the magnitude of the USEPA -projected reductions is so great (even after accounting for vehicle miles traveled growth) that Mobile Source Air Toxics emissions in the study area are likely to be lower in the future in nearly all cases.

Proposed Project. There may be localized areas where ambient concentrations of Mobile Source Air Toxics could be higher under the proposed project than if the project was not built. However, as discussed above, the magnitude and the duration of these potential increases cannot be accurately

quantified due to the inherent deficiencies of current models. In sum, the localized level of Mobile Source Air Toxics emissions for proposed project could be relatively higher than if the project was not constructed, but this could be offset due to increases in speeds and reductions in congestion (which are associated with lower Mobile Source Air Toxics emissions). Also, Mobile Source Air Toxics will be lower in other locations when traffic shifts away from them. Thus, on a regional basis, the USEPA's vehicle and fuel regulations, coupled with fleet turnover, will over time cause substantial reductions that, in almost all cases, will cause region-wide Mobile Source Air Toxics levels to be significantly lower than today.

Asbestos

The project site is located in an area that may include naturally occurring asbestos. SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities) specifies work practice requirements to limit asbestos emissions from building demolition activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials. All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings. The proposed project would be required to comply with all local, state, and federal regulations guiding the removal of naturally occurring asbestos. As such, the proposed project would result in a less-than-significant asbestos impact.

Air Quality Conformity

An Air Quality Conformity Analysis (Conformity Analysis) was completed for the Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project in accordance with FHWA requirements.[50] This Conformity Analysis made determinations consistent with FHWA's guidance on Project-Level Conformity Determinations and NEPA Assumption and Conformity Analysis Documentation checklist. In addition, the Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project has undergone Interagency Consultation (IAC) per requirements of the USEPA's Transportation Conformity rule for Projects of Air Quality Concern (POAQC). The Conformity Analysis made a determination that the proposed project is not a POAQC, and IAC participants concurred with that determination.

Regional Conformity

The Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project was included in the regional emissions analysis conducted by SCAG for the conforming 2008 Regional Transportation Plan.[51] The project's design concept and scope have not changed significantly from what was analyzed in the 2008 Regional Transportation Plan. This analysis found that the plan and, therefore, the individual projects contained in the plan, are conforming projects, and will have air quality impacts consistent with those identified in the state implementation plans (SIPs) for achieving the NAAQS. The FHWA determined the RTP to conform to the SIP on June 5, 2008.

[50]Terry A. Hayes Associates LLC, *Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project Air Quality Conformity Analysis*, September 2009.

[51]Southern California Association of Governments, *2008 Regional Transportation Plan: Making the Connections*, Adopted May 8, 2008.

The Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project is also included in the federal 2008 Regional Transportation Improvement Program (TIP).[52] The project's open to the public year is consistent with (within the same regional emission analysis period as) the construction completion date identified in the federal TIP and/or RTP. The federal TIP gives priority to eligible Transportation Control Measures identified in the SIP and provides sufficient funds to provide for their implementation. The FHWA determined the TIP to conform to the SIP on November 17, 2008.

Project-Level Conformity

Carbon Monoxide Hotspot Analysis. The widening and reconfiguration of Gale Avenue/Walnut Drive at its intersection with Nogales Street would decrease intersection congestion, thereby reducing vehicle idling time and traffic congestion. With improved traffic flow, CO concentrations at the intersection are anticipated to be lower than existing conditions and the proposed project would not generate a CO hotspot.

The NEPA document for this project does not identify specific mitigation, minimization, or avoidance measures for CO. A written commitment to implement such control measures is therefore not required.

$PM_{2.5}$/PM_{10} Hotspot Analyses. Qualitative particulate matter hotspot analysis is required under the USEPA Transportation Conformity rule for POAQC. Projects that are not POAQC are not required to complete a detailed particulate matter hotspot analysis. According to the USEPA Transportation Conformity Guidance, the following types of projects are considered POAQC:

- New or expanded highway projects that have a significant number of or significant increase in diesel vehicles (defined as greater than 125,000 Annual Average Daily Traffic (AADT) and eight percent or more of such AADT is diesel truck traffic);
- Projects affecting intersections that are at a Level of Service D, E, F, with a significant number of diesel vehicles, or that that will change to Level of Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
- New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
- Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; or
- Projects in or affecting locations, areas, or categories of sites which are identified in the $PM_{2.5}$ or PM_{10} implementation plan or implementation plan submission, as appropriate, as sites of possible violation.

The proposed project is not considered a POAQC because it does not meet the definition of a POAQC as defined in USEPA's Transportation Conformity Guidance. The proposed project would not increase the percentage of diesel vehicles on the roadway, does not involve a roadway with over 125,000 AADT, does not involve a bus or rail terminal, and is not identified in the SIP as a possible $PM_{2.5}$ or PM_{10} violation site. A particulate matter hotspot analysis is not required.

Construction-Related Hotspot Analysis. As construction of the project is expected to last approximately three years, construction-related emissions were not considered in the hotspot analysis.

MEASURES TO MINIMIZE HARM

[52]Southern California Association of Governments, *2008 Regional Transportation Improvement Plan*, Adopted July 17, 2008.

Nogales Grade Separation and Gale Avenue/Walnut Drive Widening

No adverse impacts on air quality are anticipated, therefore, no mitigation measures are required.

2.2.6 NOISE

AFFECTED ENVIRONMENT

Noise and Vibration Background Information

This section evaluates noise and vibration impacts associated with operation of the Proposed Project. Sound is technically described in terms of the loudness (amplitude) and frequency (pitch) of the sound. The standard unit of measurement for sound is the decibel (dB). The human ear is not equally sensitive to sound at all frequencies. The "A-weighted scale," abbreviated dBA, reflects the normal hearing sensitivity range of the human ear. On this scale, the range of human hearing extends from approximately 3 to 140 dBA.

This noise analysis discusses sound levels in terms of Equivalent Noise Level (L_{eq}). L_{eq} is the average noise level on an energy basis for any specific time period. The L_{eq} for one hour is the energy average noise level during the hour. The average noise level is based on the energy content (acoustic energy) of the sound. L_{eq} can be thought of as the level of a continuous noise which has the same energy content as the fluctuating noise level.

Both motor vehicular traffic and trains generate ground-borne vibration. Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. High levels of vibration may cause physical personal injury or damage to buildings. However, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that may affect concentration or disturb sleep. In addition, high levels of vibration may damage fragile buildings or interfere with equipment that is highly sensitive to vibration (e.g., electron microscopes).

Existing Noise Conditions

Nogales Street Grade Separation

The main sources of noise at the Nogales Street grade separation portion of the Proposed Project are roadway and rail activity. Existing mobile noise levels were calculated based on traffic volume information and the FTA Transit Noise Model. As shown in **Table 2.2-4**, mobile noise levels along the northern and southern segments of Nogales Street are 77.7 and 77.0 L_{eq}, respectively.

Table 2.2-4
Existing Mobile Noise Levels

Roadway Segment	Peak Hour Traffic	Noise Level (L_{eq})
Nogales Street, North of Gale Avenue/Walnut Drive	2,921	77.7
Nogales Street, South of Gale Avenue/Walnut Drive	3,173	77.0
Gale Avenue, West of Nogales Street	1,559	74.6
Walnut Drive, East of Nogales Street	1,129	73.9

SOURCE: TAHA, 2008.

The rail tracks at the Nogales Street crossing service a variety of trains. A train with two locomotives generally creates a maximum noise level of approximately 90.4 dBA at 100 feet. A freight train with 6,000 feet of rail cars generates an L_{eq} of 76.6 dBA at 100 feet. These noise levels are representative of the ambient noise levels associated with the rail activity near Nogales Street.

Train operators are required to sound the locomotive horn in a long-long-short-long sequence starting at 0.25 miles prior to all crossings. Train horns are required by FRA regulations to have a warning device that creates a minimum sound level of 96 dBA at 100 feet in front of the locomotive. Many locomotive trains have horns that generate sound levels of 105 to 110 dBA at 100 feet.

Gale Avenue/Walnut Drive Widening

Existing mobile noise levels along Gale Avenue and Walnut Drive were calculated based on traffic volume information and the FHWA-RD-77-108 noise prediction model. **Table 2.2-4** shows the peak hour traffic and associated noise level along Gale Avenue and Walnut Drive. Noise levels range from 73.9 to 74.6 L_{eq}.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

Train Impacts

Rail activity generates noise from propulsion activity, wheel/rail interactions, and the sounding of warning signals (e.g., train horns). The Nogales Street grade separation portion of the Proposed Project would eliminate the grade crossing at Nogales Street, but grade crossings would continue to be located at Fullerton Road and Fairway Drive, both of which are located within one mile of Nogales Street. The Proposed Project would not increase the frequency of train service on the existing rail line. Warning signal noise associated with the Nogales Street crossing would be eliminated. No adverse impacts associated with train noise are anticipated.

Train vibration levels are influenced by the physical parameters of the track, the type and condition of the surrounding geology, and receiving buildings. The Nogales Street grade separation would not alter the rail alignment, geology, or the proximity of receiving buildings. Existing train speeds would not substantially change because train speeds would need to be compatible with the remaining nearby rail crossings. As a result of the grade separation, trains would travel on a short bridge over Nogales Street. Any vibrations that result from crossing the bridge would be absorbed by the bridge design. As a result, the Nogales Street grade separation would not change existing rail vibration levels and no adverse impacts associated with train vibration are anticipated.

Traffic Impacts

Traffic Noise Impact Criteria

Noise Abatement Criteria (NAC) established by the FHWA in the "Procedures for Abatement of Highway Traffic Noise and Construction Noise" (23 CFR Part 772, 1997) and criteria adopted by Caltrans in the "Traffic Noise Analysis Protocol" (Caltrans, 1998) were used to determine the peak hour noise impacts for the Proposed Project. The FHWA noise abatement criteria (NAC) are presented in **Table 2.2-5**.

Table 2.2-5
Noise Abatement Criteria

Activity Category	Noise Abatement Criteria (dBA) L_{eq}	Description of Activity Category
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (Exterior)	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	--	Undeveloped lands

SOURCE: 23 CFR Part 772, 1997.

Traffic noise impacts as defined in 23 CFR 772.5 occur when the predicted noise level in the design year approaches or exceeds the NAC specified in 23 CFR 772, or a predicted noise level substantially exceeds the existing noise level (a "substantial" noise increase). A substantial noise increase occurs when the project's predicted worst hour design-year noise level exceeds the existing worst-hour noise level by 12 dBA L_{eq} more.

Traffic Noise Impacts

Implementation of the Nogales Street grade separation portion of the Proposed Project would increase average vehicle speeds because vehicles would no longer have to stop at the rail crossing. The analysis assumed that the average vehicle speed would increase by ten miles per hour. As shown in **Table 2.2-6**, mobile noise levels would be less than the 72 dBA L_{eq} NAC and the 12 dBA L_{eq} thresholds. No adverse impacts associated with mobile traffic noise are anticipated.

Table 2.2-6
Mobile Noise Impact Analysis

Roadway Segment	Existing Noise Level (L_{eq})	Future Noise Level (L_{eq})	Increase
Nogales Street, North of Gale Avenue/Walnut Drive	65.8	69.3	3.5
Nogales Street, South of Gale Avenue/Walnut Drive	66.2	69.7	3.5
Gale Avenue, West of Nogales Street	69.1	70.9	1.8
Walnut Drive, East of Nogales Street	61.7	63.6	1.9

SOURCE: TAHA, 2008.

It is unusual for automobiles to cause perceptible ground-borne vibration as rubber tires and suspension systems provide vibration isolation. Most problems with automobile vibration can be directly related to a pothole, bump, expansion joint, poor soil conditions, or other discontinuity in the road surface. Automobiles operating near the Nogales Street grade separation would operate on a freshly paved surface. Maintenance would ensure that problematic potholes are filled and bumps are smoothed. No adverse impacts associated with traffic vibration are anticipated.

Gale Avenue/Walnut Drive Widening

Traffic Impacts

Similar to the analysis of the Nogales Street grade separation portion of the Proposed Project, it was assumed that the Gale Avenue and Walnut Drive widening portion of the Proposed Project would increase vehicle speeds by approximately ten miles per hour due to increased Level of Service. The nearest buildings are approximately 20 feet from Gale Avenue/Walnut Drive. It was assumed that widening would occur north of Gale Avenue and that 20 feet would remain the minimum setback to the nearest building. This same methodology was used to determine mobile noise levels on Walnut Drive. As shown in **Table 2.2-6**, mobile noise levels would be less than the 72 dBA L_{eq} NAC and the 12 dBA L_{eq} thresholds. No adverse impacts associated with mobile traffic noise are anticipated.

As described above, automobiles do not typically generate perceptible vibration levels. Automobiles near the Gale Avenue/Walnut Drive Widening would operate on a freshly paved surface and maintenance would ensure that problematic potholes are filled and bumps are smoothed. No adverse impacts associated with traffic vibration are anticipated.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

There are no adverse impacts related to train noise and traffic noise. Therefore, no mitigation measures are required.

2.3 BIOLOGICAL ENVIRONMENT

2.3.1 BIOLOGICAL RESOURCES

AFFECTED ENVIRONMENT

The area immediately surrounding the Proposed Project is highly urbanized and fully developed with commercial and industrial uses.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation

The area surrounding the Proposed Project is highly urbanized and fully developed. No rare, threatened, or endangered plants or animals, or their potential habitat, were identified to be present in this area. No areas of habitat suitable for any special-status species were identified. There are no wildlands or natural landmarks within or adjacent to the Project area.[78] As such, no adverse effects on biological resources would occur.

The Proposed Project would remove some landscape trees and vegetation. None of the trees that would potentially be removed are protected biological resources; however they could serve as nesting sites for migratory birds. Although any trees that would be removed from the Project area would be replaced, potential adverse impacts may occur to migratory birds that utilize these trees to nest.

Gale Avenue/Walnut Drive Widening

The area surrounding the Proposed Project is highly urbanized and fully developed. No rare, threatened, or endangered plants or animals, or their potential habitat, were identified to be present in this area. No areas of habitat suitable for any special-status species were identified. There are no wildlands or natural landmarks within or adjacent to the Project area. As such, no adverse effects on biological resources would occur.

The Proposed Project would remove some landscaped trees and limited vegetation from the Project area and replaced with new landscaping. None of the trees that would potentially be removed are protected biological resources; however they could serve as nesting sites for migratory birds. Although any trees that would be removed from the Project area would be replaced, potential adverse impacts may occur to migratory birds that utilize these trees to nest.

[78]The California Department of Fish and Game (CDFG) and the California Natural Diversity Database (CNDDB) were consulted for the field observations. The field observations, however, were not limited to the species and habitats identified in the CNDDB list, and also included all listed and other sensitive species and habitats that could potentially occur at the Project site. The CNDDB is a computerized database that identifies historical occurrences of plants and animals listed by the CDFG and U.S. Fish and Wildlife Service (USFWS) as rare, threatened, and endangered (i.e., "listed species"), or otherwise considered species of special concern. Sensitive habitats and special status species identified by other entities, such as the California Native Plant Society (CNPS), are also included in the CNDDB. Based on the listed species and other sensitive species contained in the CNDDB, biologists identified "target" species of plants, animals, and habitats for which to particularly be vigilant during the field observations.

MEASURES TO MINIMIZE HARM

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

Biological surveys will be conducted prior to the pruning and/or removal of any trees in order to identify any potential impacts to nesting of migratory birds. With implementation of this measure, impacts to migratory birds will not be considered adverse.

2.3.2 WETLANDS

AFFECTED ENVIRONMENT

The U.S. Army Corps of Engineers (USACE) has jurisdiction over wetlands and other waters of the United States as established in Section 404 of the Clean Water Act. Hydrophytic vegetation, wetland hydrology, and hydric soils all must be present to qualify a site as a jurisdictional wetland as defined in Section 404 of the Clean Water Act. The USACE requires that: (1) impacts to wetlands be avoided; (2) unavoidable impacts be minimized to the maximum extent practicable; and (3) when unavoidable, impacts be mitigated to achieve no-net-loss of wetland functions and values.

The California Department of Fish and Game (CDFG) focuses on minimizing and otherwise mitigating adverse effects on wetland communities that provide wildlife habitat through Section 1600, et seq., of the State Fish and Game Code (Streambed Alteration Agreement). All USACE wetlands are CDFG wetlands; however, CDFG wetlands also include habitat with hydrophytic vegetation regardless of whether the habitat meets the hydrology or hydric soils criteria. CDFG's requirements regarding avoidance and mitigation of impacts are identical to the USACE requirements listed above.

The nearest body of water to the Project area is San Jose Creek, located approximately 0.5 miles to the north of the Project area. San Jose Creek is a concrete-lined drainage channel that empties into the San Gabriel River.

ENVIRONMENTAL CONSEQUENCES

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

There are no perennial surface waters or wetlands located in the vicinity of the Project area. A site visit confirmed that the unpaved portions of the Project area (maintained railroad ROW, roadway planting strips, residential lawns) and San Jose Creek do not contain any features that meet federal or State criteria for wetlands or other waters.[79] As such, no adverse effects on wetlands would occur.

MEASURES TO MINIMIZE HARM

There are no adverse impacts related to wetlands, therefore, no mitigation measures are required.

[79]Parsons Engineering Science, *Biological and Water Quality Technical Study, Alameda Corridor - East*, September 1999 (Revised March 2000).

2.4 CONSTRUCTION IMPACTS

AFFECTED ENVIRONMENT

Construction of the Proposed Project would occur sequentially beginning with the Gale Avenue/Walnut Drive widening portion of the Proposed Project and finishing with the Nogales Street grade separation portion of the Proposed Project. Construction of the Gale Avenue/Walnut Drive widening portion of the Proposed Project and the Nogales Street grade separation portion of the Proposed Project would take approximately 9 and 24 months, respectively.

Construction – Air Quality

Please refer to Section 2.2.5 for a discussion on the affected environment related to air quality.

Construction – Noise and Vibration

Please refer to Section 2.2.6 for a discussion on the affected environment related to noise and vibration.

Construction - Traffic

Please refer to Section 2.1.6 for a discussion on the affected environment related to transportation and traffic.

ENVIRONMENTAL CONSEQUENCES

Construction – Air Quality

Construction of the Proposed Project would generate emissions of volatile organic compounds (VOC), nitrogen oxides (NO_X), carbon monoxide (CO), sulfur oxides (SO_X), matter 2.5 microns or less in diameter ($PM_{2.5}$), and particulate matter ten microns or less in diameter (PM_{10}). Emissions would be generated from the following construction activities: (1) site clearing/demolition, (2) grading/excavation, (3) construction workers traveling to and from the project site, (4) delivery and hauling of construction supplies and debris to and from the project site, (5) fuel combustion by on-site construction equipment, and (6) asphalt paving. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants.

It is mandatory for all construction projects in the South Coast Air Basin to comply with SCAQMD Rule 403 for Fugitive Dust. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Compliance with Rule 403 would reduce $PM_{2.5}$ and PM_{10} emissions associated with construction activities by approximately 61 percent.

In order to evaluate the potential for adverse impacts during operations, SCAQMD policies and pollutant concentration thresholds (**Table 2.4-1**) were consulted.

Table 2.4-1
SCAQMD Daily Construction Emissions Thresholds

Criteria Pollutant	Regional Emissions (Pounds Per Day)	Localized Emissions (Pounds Per Day)/a/
Volatile Organic Compounds (VOC)	75	--
Nitrogen Oxides (NO_X)	100	193
Carbon Monoxide (CO)	550	2,110
Sulfur Oxides (SO_X)	150	--
Fine Particulates ($PM_{2.5}$)	55	20
Particulates (PM_{10})	150	60

/a/ The localized significance thresholds were developed using a one-acre project site and a 200-meter (656-foot) receptor distance.
SOURCE: SCAQMD.

The Sacramento Air Quality Management District has developed a specialized model for calculating roadway construction emissions. This model is based on the California Air Resources Board's EMFAC2007 and OFFROAD2007 emission factor models. The Roadway Construction Emissions Model (Version 6.3) was used to calculate the majority of Proposed Project construction emissions.

Based on information provided, the following inputs were used to calculate construction emissions for both the Nogales Street and Gale Avenue/Walnut Drive crossings:

Nogales Street Grade Separation:

- Construction Start Year: 2009
- Project Type: New Road Construction
- Project Construction Time: 24 months
- Soil Type: Weathered Rock-Earth
- Project Length: 0.2 miles
- Total Project Area: 2 acres
- Maximum Area Disturbed per Day: 1 acre
- Water Trucks Used: Yes
- Soil Imported: 0 cubic yards/day
- Soil Exported: 1,000 cubic yards/day
- Average Truck Capacity: 20 cubic yards

Gale Avenue/Walnut Drive Widening:

- Construction Start Year: 2009
- Project Type: Road Widening
- Project Construction Time: 9 months
- Soil Type: Weathered Rock-Earth
- Project Length: 0.83 miles
- Total Project Area: 2 acres
- Maximum Area Disturbed per Day: 1 acre
- Water Trucks Used: Yes
- Soil Imported: 0 cubic yards/day
- Soil Exported: 0 cubic yards/day
- Average Truck Capacity: 20 cubic yards

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project would include extensive excavation activity. Fugitive dust emissions calculated using the Roadway Construction Emissions Model were supplemented with excavation fugitive dust emissions using the United States Environmental Protection Agency's AP-42 Handbook. Excavation activity would generate 0.0042 pounds per cubic yard of PM_{10} and 0.0000962 pounds per cubic yard of $PM_{2.5}$. The analysis assumed that construction activity would disturb 1,000 cubic yards of soil per day and result in a maximum of 50 haul truck trips per day. As shown in **Table 2.4-2**, construction emissions would not exceed the SCAQMD regional or localized significance thresholds. As such, no adverse impacts associated with the air quality during construction of the Nogales Street grade separation are anticipated. However, standard Best Management Practices (BMPs) are included to ensure proper implementation of SCAQMD Rule 403

Gale Avenue/Walnut Drive Widening

Table 2.4-2 shows construction emissions associated with the Gale Avenue/Walnut Drive widening portion of the Proposed Project. The analysis assumed that the widening would not include soil exportation. Construction emissions would not exceed the SCAQMD regional or localized significance thresholds. As such, no adverse impacts associated with the air quality during construction of the Gale Avenue/Walnut Drive widening are anticipated. However, standard BMPs are included to ensure proper implementation of SCAQMD Rule 403

Table 2.4-2
Estimated Daily Construction Emissions

Construction Phase	Pounds Per Day					
	VOC	NO_X	CO	SO_X	$PM_{2.5}$	PM_{10}
Nogales Grade Separation						
Land Clearing						
On-Site	4	36	19	<1	2	9
Off-Site	3	4	38	<1	2	2
Total	7	40	57	<1	4	11
Grading						
On-Site	5	40	20	<1	2	13
Off-Site	9	57	112	<1	4	4
Total	14	97	132	<1	6	17
Drainage/Utilities/Sub-Grade						
On-Site	4	30	15	<1	2	9
Off-Site	2	3	34	<1	2	2
Total	6	33	49	<1	4	11
Paving						
On-Site	2	14	8	<1	<1	<1
Off-Site	3	3	34	<1	1	2
Total	5	17	42	<1	1	2
Gale Avenue/Walnut Drive Widening						
Land Clearing						
On-Site	5	39	21	<1	2	9
Off-Site	2	2	38	<1	2	2
Total	7	41	59	<1	4	11
Grading						
On-Site	6	42	21	<1	2	9
Off-Site	2	3	39	<1	2	3
Total	8	45	60	<1	4	12
Drainage/Utilities/Sub-Grade						
On-Site	5	35	18	<1	2	9
Off-Site	3	3	38	<1	2	2
Total	8	38	56	<1	4	11
Paving						
On-Site	3	17	10	<1	<1	<1
Off-Site	3	3	38	<1	2	2
Total	6	20	48	<1	2	2
Maximum Regional Total	14	97	132	<1	6	13
Regional SCAQMD Threshold	**75**	**100**	**550**	**150**	**55**	**150**
Exceed Threshold?	No	No	No	No	No	No
Maximum Localized Total	6	42	21	<1	2	9
Localized SCAQMD Threshold /a/	**--**	**193**	**2,110**	**--**	**20**	**60**
Exceed Threshold?	No	No	No	No	No	No

/a/ Assumed a one-acre project site and a 200-meter (656-foot) receptor distance.
SOURCE: TAHA, 2008.

Construction – Noise

The City of Industry does not have its own ordinance regarding construction noise. The City uses the ordinances in place under the County of Los Angeles. These County of Los Angeles noise ordinances prohibits operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work, between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound creates a noise disturbance across a residential or commercial real property line, except for emergency work of public service utilities or by variance issued by the Health Officer is prohibited.

The County has set construction noise limits for residential and business land uses in the Municipal Code. **Table 2.4-3** shows the noise standards for construction activity lasting more than ten days. The Code also states that all mobile or stationary internal combustion engine powered equipment or machinery shall be equipped with suitable exhaust and air intake silencers in proper working order. In case of a conflict between this ordinance and any other ordinance regulating construction activities, provisions of any specific ordinance regulating construction activities shall be used.

Table 2.4-3
Los Angeles County Construction Noise Standards

Time	Single-Family Residential	Multi-Family Residential	Semi- Residential/ Commercial	Business
Daily, 7:00 a.m. to 8:00 p.m. (except Sundays and legal holidays)	60 dBA	65 dBA	70 dBA	85 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	50 dBA	55 dBA	60 dBA	85 dBA

SOURCE: Los Angeles County Municipal Code.

Construction noise varies greatly depending on the construction process, type, and condition of equipment used, and layout of the construction site. Many of these factors are traditionally left to the contractor's discretion, which makes it difficult to accurately estimate levels of construction noise. Overall, construction noise levels are governed primarily by the noisiest pieces of equipment. For most construction equipment, the engine, which is usually diesel, is the dominant noise source. This is particularly true of engines without sufficient muffling. For special activities such as impact pile driving and pavement breaking, noise generated by the actual process dominates.

Table 2.4-4 summarizes some of the available data on noise emissions of construction equipment from the FTA Guidance Manual and recent experience with major construction projects. Shown are the average of the L_{max} values at a distance of 50 feet. Construction noise levels were estimated using the Federal Highway Administration's Roadway Construction Noise Model. The model allows for analysis of multiple pieces of equipment simultaneously and multiple receptor locations, including land-use type and baseline noise levels.

Table 2.4-4
Sample Construction Equipment Noise Emission Levels

Equipment Type	Typical Sound Level at 50 feet (dBA)
Backhoe	80
Bulldozer	85
Compactor	82
Compressor	81
Concrete Mixer	85
Concrete Pump	82
Crane, Derrick	88
Crane, Mobile	83
Loader	85
Pavement Breaker	88
Paver	89
Pile Driver, Impact	101
Pump	76
Roller	74
Truck	88

SOURCE: Federal Transit Administration, *FTA Guidance Manual Transit Noise and Vibration Impact Assessment*, May 2006.

Nogales Street Grade Separation

Construction Noise

The Roadway Construction Noise Model indicated that noise levels would be approximately 83.1 dBA L_{eq} during the Nogales Street grade separation portion of the Proposed Project. This analysis was based on simultaneous operation of four pieces of heavy-duty construction equipment located 50 to 100 feet from the nearest receptor. This noise level would be less than the County standard of 85 dBA L_{eq} for businesses. There are no residential receptors within 0.25 miles of the Project area and construction noise would not be audible at residential land uses. No potential adverse impacts associated with construction noise are anticipated.

Detour-related Mobile Noise

(Refer to Section 3 Outreach and Comments for discussion of Charlie Road Detour.)

~~A detour would be established to bypass the closed section of Nogales Street, along Walnut Drive, Otterbein Avenue, and San Jose Avenue. The detour route would travel along commercial property and vacant land. Land uses sensitive to increased noise levels would not be located along the detour route. Detour-related mobile noise would not result in an adverse impact. Two sensitive receptors would be located along the detour route: Santana High School, located on Otterbein Avenue at the UPRR tracks, and the Islamic Center of San Gabriel Valley, located on the corner of Otterbein Avenue and Walnut~~

~~Drive. The existing mobile noise level near these sensitive receptors is approximately 77.2 dBA L_{eq}. The detour-related mobile noise level would be approximately 85.2 dBA L_{eq}. The resulting ambient noise level increase would be 9.5 dBA. Detour-related mobile noise levels would exceed the 72 dBA L_{eq} NAC and the 12 dBA L_{eq} significance thresholds. This would result in an adverse impact without mitigation measures.~~

Train Noise

Train service during the construction of the Nogales Street grade separation is not anticipated to change as a shoofly would be constructed during the construction period to allow the construction of the bridge under the existing tracks. ~~However, during construction, Otterbein Avenue would be reconnected and a new at-grade crossing would be installed. As a result, trains would blow their horns closer to Santana High School on the eastbound direction than they currently do. However, the closer blowing of train horns at the Otterbein Avenue crossing would not result in an increased noise level because the westbound trains would blow their horns further away from Santana High School than they currently do. Therefore, the overall level of train horn noise as it affects Santana High School would be similar during construction as it is in the existing condition.~~ As such, no adverse impacts associated with construction train noise are anticipated.

Gale Avenue/Walnut Drive Widening

The Roadway Construction Noise Model indicated that noise levels would be approximately 83.1 dBA L_{eq} during the Gale Avenue/Walnut Drive widening portion of the Proposed Project. This analysis was based on simultaneous operation of four pieces of heavy-duty construction equipment located 50 to 100 feet from the nearest receptor. The nearest residential receptor would be approximately 1,000 feet from construction activity. The Roadway Construction Noise Model indicated that noise levels would be approximately 48.7 dBA L_{eq} during the Gale Avenue Widening. This noise level would be less than the County daytime and nighttime standards for residential land uses. No potential adverse impacts associated with construction noise are anticipated at residential land uses.

The Islamic Center of San Gabriel Valley is located within 25 feet of construction activity. The construction noise level at the Center would be approximately 89 dbA L_{eq}. This noise level would ~~be less than~~ exceed the County standard of 85 dBA L_{eq} ~~for businesses~~ and would result in an adverse impact without mitigation.

Construction – Vibration

To counter the effects of ground-borne vibration, the FTA has published guidance relative to vibration impacts. According to the FTA, typical buildings can be exposed to ground-borne vibration levels of 0.5 inches per second peak particle velocity (PPV) without experiencing structural damage.

Nogales Street Grade Separation

Typical heavy-duty and drilling construction equipment generates vibration levels of approximately 0.089 inches per second PPV at 25 feet. The anticipated pile driving associated with bridge construction during the Nogales Street grade separation portion of the Proposed Project would generate approximately 0.05 inches per second PPV at the nearest structure, approximately 145 feet away. Construction activity would not be located within 25 feet of structures. Vibration levels would be less than the 0.5 inches per second PPV significance threshold. No adverse impacts associated with vibration resulting from construction activities are anticipated, therefore, no mitigation measures are required.

Gale Avenue/Walnut Drive Widening

Construction activities during the Gale Avenue/Walnut Drive widening portion of the Proposed Project may potentially occur at a minimum distance of five feet of existing structures. At five feet, a vibration–generating piece of equipment such as a jackhammer would generate approximately 0.4 inches per second PPV. Therefore, vibration levels felt at these structures would be less than the 0.5 inches per second PPV significance threshold. No adverse impacts associated with vibration resulting from construction activities are anticipated, therefore, no mitigation measures are required.

Construction – Traffic

Nogales Street Grade Separation

The Nogales Street grade separation portion of the Proposed Project is anticipated to affect traffic flow and access patterns in the project vicinity for a 24-month period. During the construction of the grade separation, the Nogales Street at-grade crossing of the UPRR Los Angeles Subdivision tracks will be closed. ~~In order to maintain traffic circulation and access, a temporary detour route would be constructed east of Nogales Street. Improvements to San Jose Avenue and Walnut Drive would precede the establishment of the construction detour route. Starting from the south, the detour route would follow the widened Walnut Drive from Nogales Street to Otterbein Avenue in the east-west direction. Otterbein Avenue would be used as the north-south connection. Otterbein Avenue is a two-lane discontinuous road, terminating in a cul-de-sac immediately on the south side of the UPRR tracks, and reappearing on the north side of the tracks. On the north side of the UPRR tracks, Otterbein Avenue has been abandoned and it is used for parking. In order for Otterbein Avenue to be effectively used as a public construction detour during the construction period, temporary right-of-way easements would be acquired to widen Otterbein Avenue to four lanes and a temporary at-grade rail crossing would be constructed to connect the two portions of the street. The remainder of the detour loop would use San Jose Avenue in the east-west direction until it rejoins with Nogales Street. The detour loop would provide two travel lanes in each direction in all segments.~~

~~The creation of the loop will largely be accomplished within existing rights-of-way. The widening and connection would not result in take of any businesses or residences. Portions of the right-of-way that would be temporarily acquired would not impact Santana High School. Upon completion of construction, Otterbein Avenue would be returned to a two-lane road, the grade crossing would be eliminated, and both segments would be returned to cul-de-sacs. The improvements made to the roadway would be retained for the two remaining lanes, such as paving, striping, and curbs.~~ *(Refer to Section 3 Outreach and Comments for discussion of Charlie Road Detour.)*

~~It is anticipated that the detour loop will accommodate the majority of Nogales Street traffic. Nogales Street is a six-lane arterial that carries approximately 50,000 vehicles per day. The four-lane configuration of the detour route would provide about 60 percent of the existing through-lane capacity, and it~~ It is anticipated that the remainder of the north-south travel demand along Nogales Street would distribute to adjacent crossings such as Fullerton Avenue to the west and Fairway Drive to the east. Completing the Gale Avenue/Walnut Drive widening improvements first will ensure that there is a viable four-lane east-west connection from Nogales Street to Fullerton Avenue during the period of construction. Traffic diverted from Nogales Street to other north-south arterials would temporarily increase traffic flow on these facilities, resulting on slower travel speeds and some delay. However, it is not possible to predict with certainty how the volumes that would be diverted from Nogales Street (approximately 15,000 – 20,000 vehicles per day) would disperse. An adverse impact associated with traffic diversion is anticipated without mitigation.

The SR 60 westbound off-ramp intersects with Nogales Street approximately 275 feet south of the Nogales Street and Gale Avenue/Walnut Drive intersection. Without proper advanced planning to maintain adequate number of travel lanes and other traffic controls in the segment between the ramp and the adjacent intersection, backed-up queues on the SR 60 westbound off-ramp may result, as well as undesirable weaving conflicts. Potential adverse impacts are anticipated without mitigation

Gale Avenue/Walnut Drive Widening

Construction of the Gale Avenue/Walnut Drive widening portion of the Proposed Project would affect traffic flow for approximately nine months due to temporary lane closures. As the widening work is outside of the existing roadway, no full or directional lane closures that would necessitate routing onto adjacent streets would be required. However, lane restrictions may occur on a daily basis (i.e., closing one lane during work hours for safety and access). Therefore, no adverse construction traffic impacts are anticipated.

MEASURES TO MINIMIZE HARM

Construction - Air Quality

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

No adverse impacts associated with air quality during construction of the Proposed Project are anticipated. The following BMPs are included to ensure proper implementation of SCAQMD Rule 403.

- Construction contractors shall maintain mobile and stationary equipment in proper working order. This will reduce emissions of ROG, NO_X, and PM_{10} by approximately five percent. Construction equipment should use low sulfur fuels as practicable.
- SCAQMD Rule 403- Fugitive Dust will apply to the construction phase of the Proposed Project. Contractors shall water actively graded sites to reduce fugitive dust emissions. On-site stockpiles of dirt or debris shall be covered or watered twice daily. Watering should be adequate to eliminate visible dust plumes. Site access points shall be swept or washed within 30 minutes of visible dirt deposition on any public roadway. These measures will reduce emissions by approximately 50 percent.
- Travel speeds on unpaved surfaces shall be kept to below 15 miles per hour. Haul trucks shall be covered and two feet of freeboard shall be left between the top of the load and the top of the truck bed.
- Ballast shall be wetted as it is unloaded from haul trucks to reduce dust emissions. This measure would reduce dust from ballast by at least 50 percent.
- Construction operations on any unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
- Non-potable water shall be used for construction activities as feasible.
- Proposed Project contractors shall use asphalt-paving materials that comply with SCAQMD's Rule 453 regarding compliant paving material.

Construction – Noise

It is not anticipated that the construction specifications would limit nighttime construction. There may be times when nighttime construction is desirable (e.g., in commercial districts where nighttime construction would be less disruptive to businesses in the area) or necessary to avoid unacceptable traffic disruptions. Since the construction would be subject to the requirements of the local noise regulations, the contractor would need to work with local authorities to establish an acceptable approach balancing interruption of the business and residential community, traffic disruptions, and reducing the total duration of the construction.

Nogales Street Grade Separation

Construction Noise

No adverse impacts associated with noise resulting from construction activities are anticipated, therefore, no mitigation measures are required.

Detour-related Mobile Noise

No adverse impacts associated with detour-related mobile noise during construction are anticipated, therefore, no mitigation measures are required. ~~A noise blanket shall be used to reduce the increased noise level during the operation of the detour route during construction. At a minimum, the noise blanket shall be ten feet tall and capable of reducing noise levels by 14 dBA. The noise blanket shall be installed alongside the Santana High School property that faces Otterbein Avenue where there are structures present. The noise blanket barrier shall also be utilized at the Islamic Center of San Gabriel Valley along the side that faces Walnut Drive.~~

~~Implementation of the mitigation measures would reduce detour-related mobile noise levels to 71.2 dBA. This would reduce noise levels below the 72 dBA L_{eq} NAC and the 12 dBA L_{eq} significance thresholds. Therefore, impacts associated with noise from the construction and operation of the detour route would not be considered adverse.~~ *(Refer to Section 3 Outreach and Comments for discussion of Charlie Road Detour.)*

Train Noise

No adverse impacts associated with train noise during construction are anticipated, therefore, no mitigation measures are required.

Gale Avenue/Walnut Drive Widening

There are a number of measures that shall be taken, including noise monitoring, to ensure that contractors take all reasonable steps to minimize noise. Equipment shall be inspected and noise tested to ensure that all equipment on the construction site is in good condition and effectively muffled. A community liaison shall be used to keep residents and businesses informed about construction plans so they can plan around periods of particularly high noise levels.

The contractor shall adhere to the following noise control requirements, which shall be included in the construction specifications, to mitigate construction noise impacts during the widening of Gale Avenue/Walnut Drive widening portion of the Proposed Project:

- All construction shall be performed in a reasonable manner to minimize noise. Where practical, the contractor shall select construction processes and techniques that create reduced noise levels. Examples include mixing concrete off-site instead of on-site and using hydraulic tools instead of pneumatic impact tools.
- Equipment with effective mufflers shall be used. Diesel motors are often the major noise source on construction sites. Contractors shall employ equipment fitted with the most effective commercially available mufflers.
- All construction shall be performed in a manner to maintain noise levels below specific limits at noise sensitive land uses.
- Noise monitoring shall be performed during construction to demonstrate compliance with the noise limits.
- Construction activities shall be limited during evening, nighttime, weekend, and holiday periods.
- Haul routes shall be selected that minimize intrusion to residential areas.

A noise blanket shall be used to reduce the increased noise level during construction. At a minimum, the noise blanket shall be ten feet tall and capable of reducing noise levels by 5 dBA. The noise blanket shall be installed such that it would block the line-of-sight from construction activity to the Islamic Center of San Gabriel Valley.

Implementation of the mitigation measure would reduce construction noise levels by at least 5 dBA to 84 dBA. This would reduce noise levels below the 85 dBA L_{eq} standard. Therefore, construction noise would not result in an adverse impact.

With implementation of these mitigation measures, impacts associated with construction noise would not be considered adverse.

Construction – Vibration

Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening

No adverse impacts associated with construction vibration are anticipated, therefore, no mitigation measures are required.

Construction – Traffic

Nogales Street Grade Separation

ACE shall work directly with the City of Industry, the County of Los Angeles, and Caltrans to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations.

In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.

- Bridge construction that requires street closure shall be scheduled so as to keep the closure time down to minimum.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry, the County of Los Angeles, and Caltrans. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street.

With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Gale Avenue/Walnut Drive Widening

No adverse construction traffic impacts are anticipated, therefore, no mitigation measures are required.

2.5 CUMULATIVE IMPACTS AND OTHER IMPACT DISCUSSIONS

2.5.1 CUMULATIVE IMPACTS

When taken into consideration with the effects of past, current, and probable future projects, including the different components of the ACE Program (i.e., a series of grade separation projects in the San Gabriel Valley), the Proposed Project would result in significant regional benefits described in Section 2.5.3. As explained in the Project background, the Proposed Project is part of the overall Alameda Corridor improvements program as implemented by ACE. Improvement elements currently include safety improvements and signal modifications, installation of median barriers, street widening, and grade separations of railroad tracks and highway/roadways. The combination of individual components would not involve collective adverse impacts, except for potential collective impacts during the construction phase.

The simultaneous closure of two or more proximate grade crossings for construction work could cause cumulative traffic impacts and congestion to the adjacent railroad crossings due to the loss of local traffic carrying capacity across the railroad line at Nogales Street. However, the schedule for the other grade separations does not include simultaneous construction work on proximate grade crossings, and, therefore, these potential cumulative impacts will not occur.

Currently, there is one additional major transportation-related construction in the City of Industry: the Sunset Avenue/7th Avenue Grade Separation Project. The Sunset Avenue/7th Avenue Grade Separation project site is located approximately six miles to the northeast of the Proposed Project and is anticipated to be constructed concurrently with the Proposed Project. Completion of the Sunset Avenue/7th Avenue and the Nogales Grade Separations, as well as the Gale Avenue/Walnut Drive and Nogales Street intersection widening projects will have significant positive impacts to traffic mobility in the San Gabriel Valley.

According to a recent white paper by the Association of Environmental Professionals, “an individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases (GHG). Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California’s GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation, Caltrans has created and is implementing the *Climate Action Program* at Caltrans. Transportation’s contribution to GHG emissions is dependent on three factors: the types of vehicles on the road, the type of fuel the vehicles use, and the time/distance the vehicles travel.

Caltrans is actively involved on the Governor’s Climate Action Team as the CARB works to implement AB 1493 and AB 32. As part of the *Climate Action Program* at Caltrans, Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks. However it is important to note that the control of the fuel economy standards is held by the USEPA and the CARB. Lastly, the use of alternative fuels is also being considered; Caltrans is participating in funding for alternative fuel research at the University of California Davis.

One of the main strategies in the Caltrans' *Climate Action Program* to reduce GHG emissions is to make California's transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0 to 25 miles per hour) and speeds over 55 mph; the most severe emissions occur from 0 to 25 miles per hour. Relieving congestion by enhancing operations and improving travel times in high congestion travel corridors will lead to an overall reduction in GHG emissions. The construction of the grade separation would eliminate stop-and-go activity associated with train crossing. In addition, the roadway widening would improve the roadway level of service and reduce vehicle idling time associated with congestion and light cycles. The proposed project would reduce GHG emissions compared to existing conditions.

2.5.2 IMPACTS ON THE QUALITY OF THE ENVIRONMENT

The Proposed Project has no potential to substantially reduce the habitat of fish or wildlife species or cause populations to drop below self-sustaining levels or threaten to eliminate a plant or animal community or reduce the number or restrict the range of special status or candidate plant or animal species. As described in Section 2.1.8, the Proposed Project also has no potential to eliminate or cause adverse effects to properties that are important examples of national or California history or prehistory.

2.5.3 SHORT-TERM USES OF MAN'S ENVIRONMENT VERSUS LONG-TERM PRODUCTIVITY

The long-term effects of the Proposed Project include enhanced safety, reduced traffic congestion, improvements in air quality, and reductions in train noise. These effects all point toward improvements in productivity and in the human environment. Short-term uses of the environment include the use of construction materials and energy to construct the grade separation and construction-related impacts including dust and emissions, construction noise and vibration, possible erosion, and traffic impacts. Construction-period impacts will be mitigated as described in Section 2.4 Construction Impacts.

2.5.4 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Implementation of the Proposed Project would involve the irreversible or irretrievable commitments of the following resources: fossil fuels, labor, roadway construction materials (such as cement, aggregate, asphalt), and railroad construction materials (such as steel and ballast). Construction of the Proposed Project would involve the commitment of public funds. The achievement of Proposed Project benefits, described in Section 2.5.3, would not be possible without the commitment of these resources. These benefits are expected to outweigh the proposed commitment of resources.

2.5.5 EFFECTS ON HUMAN BEINGS

The long-term effects of the Proposed Project would be beneficial, as described in Section 2.5.3. Construction impacts would be temporary, and commitments to mitigate these effects have been made in the foregoing sections of this document. The Proposed Project would have substantial positive effects on human beings.

3.0 OUTREACH AND COMMENTS

3.1 PRIOR PUBLIC OUTREACH

Community and agency meetings have been coordinated with the City of Industry, including meetings with City staff and presentation to City Council members. There were two open houses on May 15, 2000 and May 16, 2000 where information was presented for all proposed projects located in the City of Industry and County of Los Angeles, east of Azusa Avenue, including the Proposed Project. The open houses took place at the Pacific Palms Hotel and Resorts (formerly known as Industry Hills Sheraton). A total of 169 persons attended the two meetings and 76 people attended the meeting focusing on projects east of Azusa Avenue. ACE is the lead agency for the Proposed Project.

Staff and consultants were available at these meetings to answer questions from the public. The open houses were publicly noticed two weeks in advance as follows:

- The Industry Chamber of Commerce was responsible for the bulk mailing to its members, City staff and other interested parties;

- Notices were mailed to 12 affected property owners and, in addition, notices were delivered in-person to the property locations;

- Notices were mailed to 66 adjacent property owners and, in addition, notices were delivered in-person to the property locations; and

- Notices were mailed to 122 County of Los Angeles Key Stakeholders.

Attendees received Open House Guides that explained what information was available at the display stations, and Proposed Project information sheets in English or Spanish. Staff at each Information Display Station briefed attendees using large graphic and informational boards. Attendees were able to ask questions and were encouraged to submit written comments on the Public Comment form.

Open house comments were summarized and reviewed internally with the environmental, engineering, and public outreach staff. None of the comments received were specifically in reference to the Proposed Project, but the ideas presented in these comments influenced changes to the engineering plans and/or environmental documents. ACE considered all public comments at both these open house in the preparation of this IS/EA.

3.2 RECENT PUBLIC OUTREACH

3.2.1 INTRODUCTION

The Draft Initial Study/Mitigated Negative Declaration/Environmental Assessment (IS/MND/EA) was available for public review and comment between September 11, 2008 and October 25, 2008. During this period, 40 written comments on the Draft IS/MND/EA were received. In addition, ACE held a public meeting on November 13, 2008 to receive comments regarding the proposed project and the Draft IS/MND/EA. Comments from the public pertaining to the environmental issues addressed in the Draft IS/MND/EA were received during and after the public hearing.

Although it is not required by CEQA Guidelines, this section provides responses to comments on the Draft IS/MND/EA,. None of the comments and responses to comments constitute significant new information or substantial project changes as defined by Section 15073.5 (b) of the CEQA Guidelines.

3.2.2 RESPONSE TO COMMENTS

Each comment letter has been assigned a number. The body of each comment letter has been separated into individual comments, which also have been numbered. This results in a tiered numbering system, whereby the first comment in Letter 1 is depicted as Comment 1-1, and so on. These numbered comments are included in their entirety, followed by the corresponding responses.

Comments on the Draft IS/MND/EA were received from the following:

Draft IS/MND/EA Written Comments From the Public:

1. Joseph Lin
   Purrfect Auto
   1100 S. Nogales Street
   Rowland Heights, CA 92587
   November 13, 2008

2. David Wong
   20955 Pathfinder Road #210
   Diamond Bar, CA 91965
   November 13, 2008

3. Stephen Bledsoe
   649 S. Rancho Simi Drive
   Covina, CA 91724
   November 13, 2008

4. Robbie Liang
   Quality World Inc.
   1015 S. Nogales Street
   Rowland Heights, CA 91748
   November 13, 2008
5. Neil Kay
   926 S. Nogales Street
   Rowland Heights, CA 91748
   November 13, 2008

6. Just Kanpai (Wendy)
   18900 E. Gale Avenue #A
   Rowland Heights, CA 91789
   November 13, 2008

7. Catherine Liu
   18902 E. Gale Avenue #B
   Rowland Heights, CA 91748
   November 13, 2008
8. Huang Qi Yuan

18922 Gale Avenue #D
Rowland Heights, CA 91748
November 13, 2008

9. David & Teri Malkin
18021 Galatina Street
Rowland Heights, CA 91748
November 13, 2008

10. Lynne Ebenkamp
1815 Debann Place
Rowland Heights, CA 91748
November 13, 2008

11. Patrick Yau
1015 S. Nogales Street, #118
Rowland Heights, CA 91748
November 13, 2008

12. Jose Sarinana
Elite Auto Body
938 S. Nogales Street
Industry, CA 91748
November 13, 2008

13. Jose Sarinana
Elite Auto Body
938 S. Nogales Street
Industry, CA 91748
December 5, 2008

14. Ben Foo
18932 Gale Avenue
Rowland Heights, CA 91748
November 13, 2008

15. David Voorhees
19161 E. Walnut Drive North
Industry, CA 91748
November 13, 2008

16. Makhdoom Hussein, Director
Islamic Center of San Gabriel Valley
19164 E. Walnut Drive North
Rowland Heights, CA 91748
November 13, 2008

17. Marvin Chang
Walnut Auto Parts
No Address
November 13, 2008

18. Charlie Albadawi
Impound
18135 San Jose Avenue
Rowland Heights, CA 91748
November 13, 2008

19. Douglas R. Shyffer
ESA Industries, Inc.
19052 San Jose Avenue
Industry, CA 91748
November 13, 2008

20. Rafael Shpelfogel
301 N. Canon Drive #304
Beverly Hills, CA 90210
November 13, 2008

21. Mark Huang
18383 E. Railroad Street
Industry, CA 91748
November 13, 2008

22. Mitchell E. Wright
Bob Wright Industrial Properties, Inc.
20635 B East Valley Boulevard
Walnut, CA 91789
November 13, 2008

23. John Baginski
Unilever HPC
19161 E. Walnut Drive North
Industry, CA 91748
November 6, 2008

24. Carolynn Ruth
Public Storage
701 Western Avenue
Glendale, CA 91201
November 6, 2008

25. Carolynn Ruth
Public Storage
701 Western Avenue
Glendale, CA 91201
November 4, 2008

26. Hank Fung
County of Los Angeles Department of Public Works
No Address
December 8, 2008

27. Jackie

Happy Harbor Restaurant
1015 S. Nogales Street #126
Rowland Heights, CA 91748
December 8, 2008

28. Jackie
Happy Harbor Restaurant
1015 S. Nogales Street #126
Rowland Heights, CA 91748
December 8, 2008

29. Katherine Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
December 4, 2008

30. Katherine Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
December 5, 2008

31. Diana Tran
Pho Rowland
18910 E. Gale Avenue #A
Rowland Heights, CA 91748
December 4, 2008

32. Jackie
Diamond Bakery
1015 S. Nogales Street
Rowland Heights, CA 91748
December 8, 2008

33. Michael Amiri, Esq.
PrimeTime Nutrition
19315 E. San Jose Avenue
Industry, CA 91748
November 25, 2008

34. Wendy
Mandarin Plaza
No Address
December 2008

35. David Wong
Golden Pacific Realty, Inc.
20955 Pathfinder Road #210
Diamond Bar, CA 91765
November 24, 2008

36. David Wong
Golden Pacific Realty, Inc.
20955 Pathfinder Road #210
Diamond Bar, CA 91765
December 4, 2008

37. Scott A. Somner
Pillsbury Winthrop Shaw Pittman LLP
50 Fremont Street
San Francisco, CA 94105
December 8, 2008

38. Cynthia Lai
Q Noodle House
18930 E. Gale Avenue
Rowland Heights, CA 91748
December 5, 2008

39. Yu Yu-Ting
Elle European Collections
18918 E. Gale Avenue
Rowland Heights, CA 91748
December 3, 2008

40. Alberto T. Valmidiano, Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, CA 91311
January 16, 2009

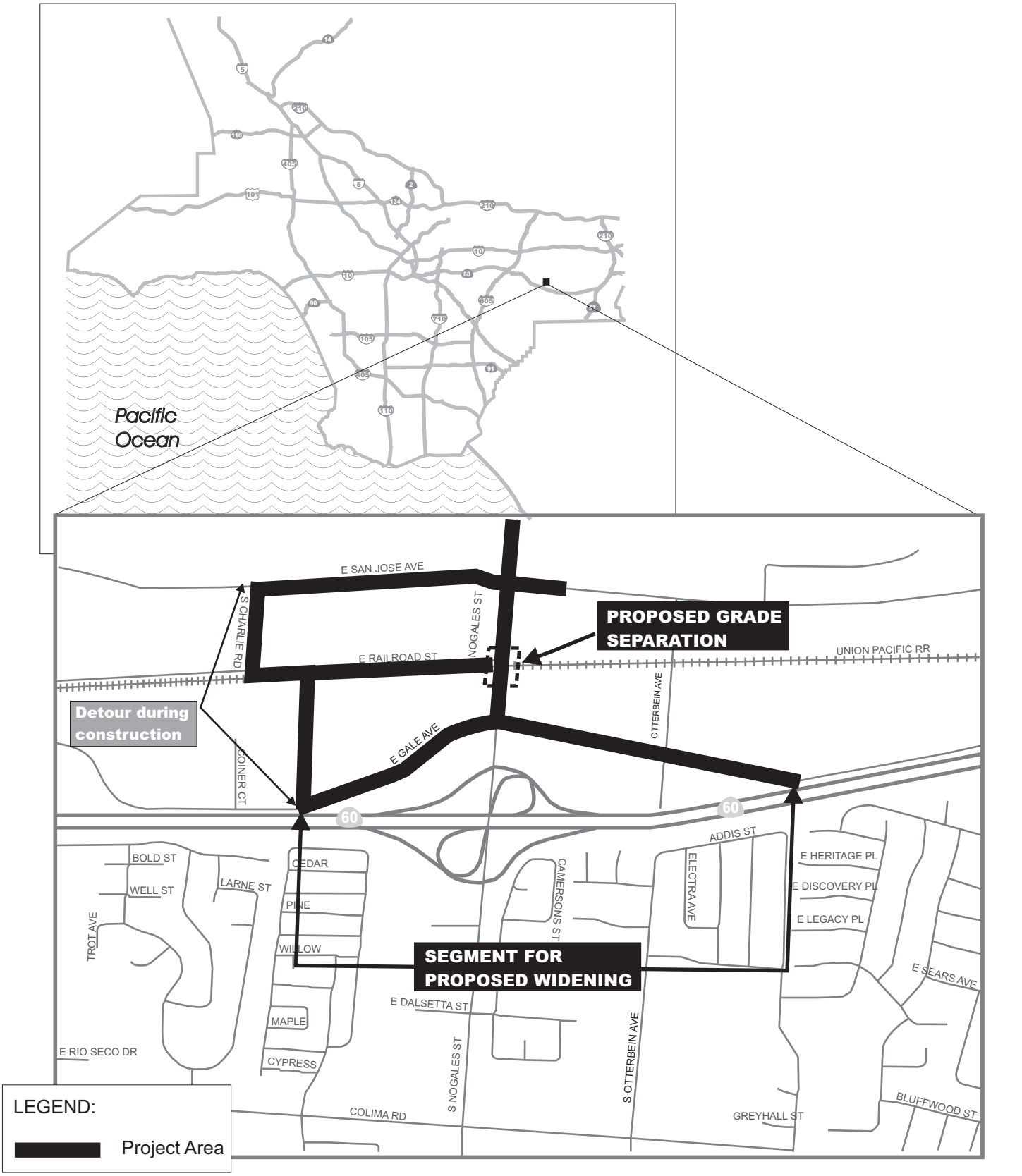
3.2.3 CHARLIE ROAD DETOUR ROUTE ANALYSIS

As a result of the comments received during the public comment period regarding the proposed Otterbein Avenue detour route, a new detour route has been proposed. The new detour route would be located west of the Nogales Street/Gale Avenue intersection. The new route will incorporate the existing Charlie Road north of the UPRR tracks and create a new roadway south of the UPRR tracks. The new roadway (New Charlie Road) will be constructed west of the existing shopping center on the northern side of Gale Avenue, utilizing vacant land that would be acquired as a temporary construction easement. This north-south temporary roadway would consist of one lane in each direction, connecting Gale Avenue and Railroad Street. A temporary at-grade railroad crossing would be constructed to allow access across the existing UPRR tracks. The temporary at-grade crossing would be fully protected by center median islands, automatic gates, flashing lights and bells, meeting current California Public Utilities Commission (CPUC) standards. Temporary traffic signals would be provided at the following intersections:

- Gale Avenue/New Charlie Road
- Railroad Street/New Charlie Road
- Railroad Street/Existing Charlie Road
- San Jose Avenue/Existing Charlie Road

The traffic signalization will comply with City of Industry, County of Los Angeles, and Caltrans signalization requirements. A paved sidewalk would be provided along the east side of New Charlie Road for pedestrian access across the UPRR tracks. The detour route from north to south would be: San Jose Avenue to existing Charlie Road to Railroad Street across the UPRR track to the New Charlie Road to Gale Avenue. The temporary New Charlie Road and the at-grade crossing at the UPRR tracks would be removed after completion of the Nogales Street grade separation.

Figures 1.1-1, **2.3-1**, and **2.3-6** have been revised to show the new detour route. The original figures are still shown in the main analysis section.



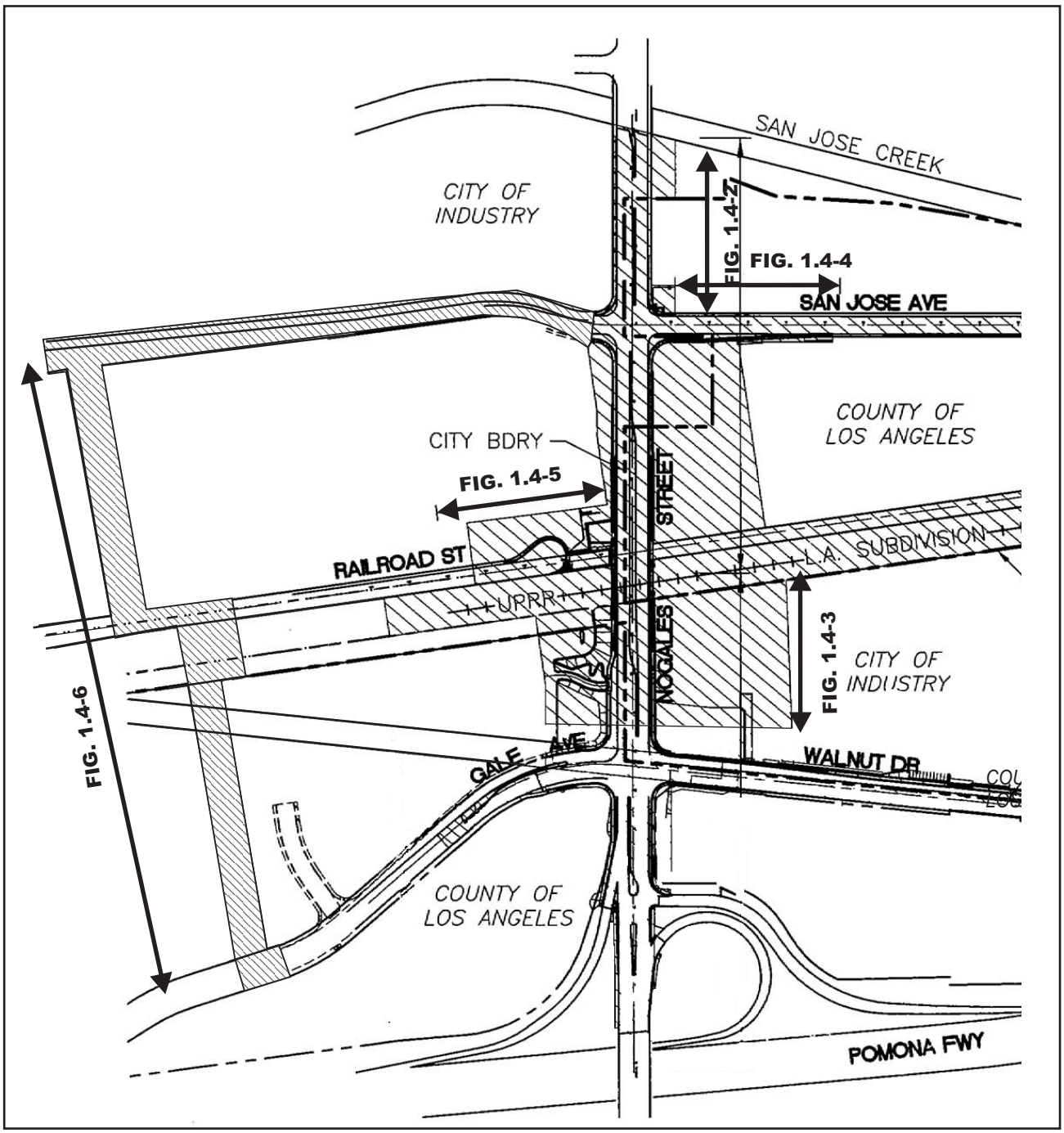
SOURCE: TAHA, 2007

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.1-1

PROJECT LOCATION



LEGEND:

Nogales Street UPRR Los Angeles Subdivision Grade Separation Project Area

SOURCE: DMJM Harris, April 2005

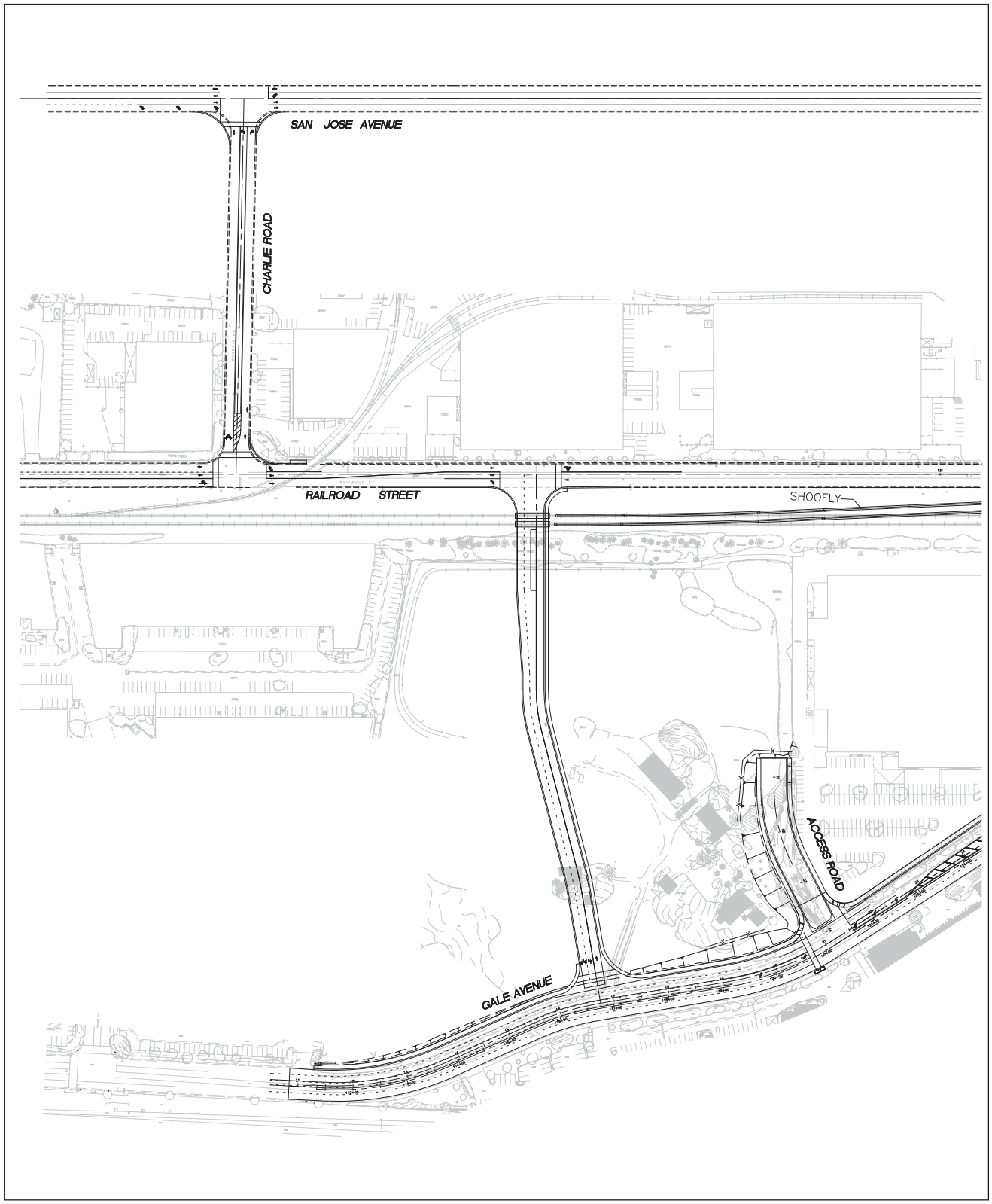
N

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-1

PROPOSED NOGALES STREET GRADE SEPARATION SITE PLAN



SOURCE: AECom and TAHA, 2009

N

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019 ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 1.4-6

CHARLIE ROAD
DETOUR ROUTE

The following is an analysis of the impacts that the New Charlie Road detour route on the environment. As discussed above, the Charlie Road detour would operate only during construction of the proposed project and would be removed once construction of the Nogales Street grade separation is complete. As such, this analysis is restricted to construction impacts.

2.1 HUMAN ENVIRONMENT

2.1.1 LAND USE

The construction and operation of the Charlie Road detour route temporarily (2 to 3 years) utilize a portion of a vacant parcel zoned for industrial uses for the creation a new street. A portion of the vacant land would be vacated for a public right-of-way. The temporary road would be removed once the Nogales Street grade separation is completed. Once the temporary detour route is removed, the vacant parcel would be available to be used for industrial or commercial uses. No adverse impacts associated with land use are anticipated.

2.1.2 COMMUNITY IMPACTS

The construction and operation of the Charlie Road detour route would reduce the overall amount of displacement in the project area. The Charlie Road detour route itself would require temporary construction easements that would affect three parcels with Assessor Parcel Numbers (APNs) 8264021020, 8264021027, and 8264021801 (a revised **Figure 2.1-5** is shown below. The original **Figure 2.1-5** remains in the main analysis). However, since the Otterbein Avenue detour route would no longer be used, 10 parcels would not be impacted by displacement. Therefore, the total number of parcels that would be impacted by displacement would be reduced from 50 to 40 (refer to revised **Table 2.1-5** below). No adverse social or economic impacts are anticipated.

2.1.3 PUBLIC SERVICES AND UTILITIES

The construction and operation of the Charlie Road detour route would have similar impacts associated with public utilities, police, fire, emergency, or other public service as the previously proposed detour route. Implementation of the mitigation measures identified in Section 2.1.3 of the main analysis shall result in no adverse impacts associated with public utilities, police, fire, emergency, or other public service.

2.1.4 PUBLIC SAFETY

The construction and operation of the Charlie Road detour route would introduce a new roadway into the existing roadway network. The Charlie Road detour route would also introduce a new at-grade railroad crossing. As described above, the New Charlie Road will be signalized at its intersection with Gale Avenue and with Railroad Street. In addition, the New Charlie Road will include a paved sidewalk on the eastern side. The at-grade railroad crossing would be fully protected by center median islands, automatic gates, flashing lights and bells, meeting current CPUC standards. Also, once the Nogales Street grade separation is completed, this detour route would be removed. No adverse impacts associated with public safety are anticipated.

LEGEND:

Project Improvements

Railroad

Full Take

Partial Take

Temporary Construction Easement

Temporary Construction Easement/ Partial Take

#	APN	Address
1.	8264-021-020	18800 Railroad Street
2.	8264-021-027	No Address Available
3.	8264-021-801	No Address Available
4.	8264-021-026	No Address Available
5.	8264-021-028	1015 Nogales Street
6.	8264-021-015	1025 Nogales Street
7.	8264-021-014	18900 Gale Avenue
8.	8760-005-808	No Address Available
9.	8760-002-801	No Address Available
10.	8760-002-901	1146 Nogales Street
11.	8760-002-902	No Address Available
12.	8760-001-012	1100 Nogales Street
13.	8760-002-015	19101 E Walnut Drive N
14.	8760-002-016	19161 E Walnut Drive N
15.	8760-002-017	19161 E Walnut Drive N
16.	8760-001-015	19138 E Walnut Drive N
17.	8760-001-006	19148 E Walnut Drive N
18.	8760-001-001	1113 Otterbein Avenue
19.	8760-002-005	19201 E Walnut Drive N
20.	8760-002-006	19213 E Walnut Drive N
21.	8760-002-008	19237 E Walnut Drive N
22.	8760-002-018	19235 E Walnut Drive N
23.	8760-002-009	19251 E Walnut Drive N
24.	8760-002-014	19301 E Walnut Drive N
25.	8760-002-010	No Address Available
26.	8264-003-011	18965 San Jose Avenue
27.	8264-003-017	18910 San Jose Ave
28.	8264-003-018	18955 Railroad Street
29.	8760-004-020	822 Nogales Street
30.	8760-004-021	830 Nogales Street
31.	8760-004-022	854 Nogales Street
32.	8760-004-023	19015 San Jose Avenue
33.	8760-004-019	19033 San Jose Avenue
34.	8760-003-008	19052 San Jose Avenue
35.	8760-003-009	19042 San Jose Avenue
36.	8760-003-028	19032 San Jose Avenue
37.	8760-003-003	19022 San Jose Avenue
38.	8760-003-006	No Address Available
39.	8760-003-001	904 Nogales Street
40.	8760-003-002	938 Nogales Street

SOURCE: TAHA, 2009

N

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

taha 2007-019

ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 2.1-2

PARCELS POTENTIALLY AFFECTED BY DISPLACEMENT

Table 2.1-5
List of Displacement Properties

Key to Figure 2.1-2 No.	APN	Address	Business	Full Take/Partial Take/ *Temporary Construction* Easement
26	8264-003-011	18965 San Jose Avenue	Y	Partial Take
27	8264-003-017	18910 San Jose Ave	Y	*Temporary Construction* Easement
28	8264-003-018	18955 Railroad Street	Y	*Temporary Construction* Easement
7	8264-021-014	18900 Gale Avenue	Y	Partial Take
6	8264-021-015	1025 Nogales Street	Y	Full Take
1	8264-021-020	18800 Railroad Street	Y	~~Partial Take~~ *Temporary Construction Easement*
4	8264-021-026	No Address Available	Vacant Land	Partial Take
2	*8264-021-027*	*No Address Available*	*Vacant Land*	*Temporary Construction Easement*
5	8264-021-028	1015 Nogales Street	Y	*Temporary Construction* Easement
3	*8264-021-801*	*No Address Available*	*Vacant Land*	*Temporary Construction Easement*
18	8760-001-001	1113 Otterbein Avenue	Y	Partial Take
17	8760-001-006	19148 E Walnut Drive N	Y	Partial Take
12	8760-001-012	1100 Nogales Street	Y	Partial Take
16	8760-001-015	19138 E Walnut Drive N	Y	Partial Take
	~~8760-002-003~~	~~No Address Available~~	~~Y~~	~~Easement/Full Take~~
	~~8760-002-004 /c/~~	~~1010 Otterbein Avenue~~	~~Y~~	~~Partial Take~~
19	8760-002-005	19201 E Walnut Drive N	Vacant Land	Partial Take
20	8760-002-006	19213 E Walnut Drive N	Y	Partial Take
21	8760-002-008	19237 E Walnut Drive N	Y	Partial Take
23	8760-002-009	19251 E Walnut Drive N	Y	Partial Take
25	8760-002-010	No Address Available	Vacant Land	Partial Take
24	8760-002-014	19301 E Walnut Drive N	Y	Partial Take
13	8760-002-015	19101 E Walnut Drive N	Y	*Temporary Construction* Easement/ Partial Take
14	8760-002-016	19161 E Walnut Drive N	Y	Partial Take
15	8760-002-017	19161 E Walnut Drive N	Y	Partial Take
22	8760-002-018	19235 E Walnut Drive N	N/A	Partial Take
9	8760-002-801	No Address Available	N/A	*Temporary Construction* Easement
	~~8760-002-900 /c/~~	~~1006 Otterbein Avenue~~	~~Government~~	~~Partial Take~~
10	8760-002-901	1146 Nogales Street	Vacant Land	Part Take
11	8760-002-902	No Address Available	Vacant Land	Part Take
39	8760-003-001 /b/	904 Nogales Street	Y	Full Take
40	8760-003-002 /b/	938 Nogales Street	Y	Partial Take
37	8760-003-003 /b/	19022 San Jose Avenue	Vacant Land	Partial Take
38	8760-003-006	No Address Available	Vacant Land	*Temporary Construction* Easement
34	8760-003-008	19052 San Jose Avenue	Y	Partial Take
35	8760-003-009	19042 San Jose Avenue	Y	Partial Take
	~~8760-003-020~~	~~19154 San Jose Avenue~~	~~Y~~	~~Easement/ Partial Take~~
	~~8760-003-021~~	~~917 Otterbein Avenue~~	~~Y~~	~~Easement~~
	~~8760-003-022~~	~~No Address Available~~	~~Y~~	~~Easement~~
	~~8760-003-023~~	~~929 Otterbein Avenue~~	~~Y~~	~~Easement~~
	~~8760-003-024~~	~~No Address Available~~	~~Y~~	~~Easement~~
	~~8760-003-025~~	~~19220 San Jose Avenue~~	~~Y~~	~~Easement~~
	~~8760-003-027~~	~~19220 San Jose Avenue~~	~~Y~~	~~Easement/ Partial Take~~
36	8760-003-028	19032 San Jose Avenue	Y	Partial Take
33	8760-004-019	19033 San Jose Avenue	Vacant Land	Partial Take
29	8760-004-020 /a/	822 Nogales Street	Y	*Temporary Construction* Easement
30	8760-004-021 /a/	830 Nogales Street	Y	*Temporary Construction* Easement
31	8760-004-022	854 Nogales Street	Y	Partial Take
32	8760-004-023	19015 San Jose Avenue	Y	Partial Take

Table 2.1-5
List of Displacement Properties

Key to Figure 2.1-2 No.	**APN**	**Address**	**Business**	**Full Take/Partial Take/ *Temporary Construction* Easement**
8	8760-005-808	No Address Available	Y	~~Partial Take~~ *Temporary Construction Easement*
	~~N/A~~	~~Caltrans~~	~~Vacant Land~~	~~Partial Take~~

/a/ These parcels are part of one property.
/b/ These parcels are part of one property.
/c/ These parcels are part of one property.
SOURCE: Alameda Corridor-East Construction Authority, *Final Relocation Impact Report for Nogales Street Separation, Construction of Temporary Otterbein Avenue Detour, and Gale/Walnut Street Widening in City of Industry and Unincorporated Portions of Los Angeles County*, September 2004.

2.1.5 TRAFFIC AND TRANSPORTATION

Refer to Section 2.4 Construction Impacts in this analysis.

2.1.6 VISUAL RESOURCES

The construction and operation of the Charlie Road detour route would have similar impacts associated with visual resources as the previously proposed detour route. As discussed in Section 2.1.6 of the main analysis, no adverse impacts are anticipated associated with visual resources.

2.1.7 CULTURAL RESOURCES

The Historical Resource Evaluation Report (HRER) completed for the proposed project included in its Area of Potential Effect (APE) the area that would be affected by the Charlie Road detour route. No historically significant resources were identified in the APE and, therefore, no adverse impacts are anticipated. Implementation of the mitigation measures identified in Section 2.1.7, Cultural Resources of the main analysis shall result in no adverse impacts associated with archaeological and paleontological resources.

2.2 PHYSICAL ENVIRONMENT

2.2.1 WATERWAYS AND HYDROLOGY

The construction and operation of the Charlie Road detour route would have similar impacts associated with waterways and hydrology as the previously proposed detour route. Implementation of the mitigation measures identified in Section 2.2.1 of the main analysis shall result in no adverse impacts associated with waterways and hydrology.

2.2.2 WATER QUALITY

The construction and operation of the Charlie Road detour route would have similar impacts associated with water quality as the previously proposed detour route. Implementation of the mitigation measures identified in Section 2.2.2 of the main analysis shall result in no adverse impacts associated with water quality.

2.2.3 TOPOGRAPHY, GEOLOGY, AND SEISMICITY

The construction and operation of the Charlie Road detour route would have similar impacts associated with topography, geology, and seismicity as the previously proposed detour route. No adverse impacts associated with faults and seismicity are anticipated. Implementation of the mitigation measures identified in Section 2.2.3 of the main analysis shall result in no adverse impacts associated with topography and geology, and liquefaction.

2.2.4 HAZARDOUS WASTE

The construction and operation of the Charlie Road detour route would have similar impacts associated with hazardous waste as the previously proposed detour route. Implementation of the mitigation measures identified in Section 2.2.4 of the main analysis shall result in no adverse impacts associated with hazardous waste.

2.2.5 AIR QUALITY

Refer to Section 2.4 Construction Impacts in this analysis.

2.2.6 NOISE

Refer to Section 2.4 Construction Impacts in this analysis.

2.3 BIOLOGICAL ENVIRONMENT

2.3.1 BIOLOGICAL RESOURCES

The construction and operation of the Charlie Road detour route would have similar impacts associated with biological resources as the previously proposed detour route. Implementation of the mitigation measures identified in Section 2.3.1 of the main analysis shall result in no adverse impacts associated with biological resources.

2.3.2 WETLANDS

The construction and operation of the Charlie Road detour route would have similar impacts associated with wetlands as the previously proposed detour route. As discussed in Section 2.3.2 of the main analysis, no adverse impacts are anticipated associated with wetlands.

2.4 CONSTRUCTION IMPACTS

Air Quality

No adverse impacts associated with air quality during construction of the Charlie Road are anticipated. The Charlie Road detour route would not be adjacent to sensitive uses. The Best Management Practices (BMPs) that are identified in Section 2.4 Construction Impacts of the main analysis to ensure proper implementation of SCAQMD Rule 403 would also apply to the Charlie Road Detour Routes. Therefore, no mitigation measures are required.

Noise

No adverse impacts associated with detour-related mobile noise or vibration during construction and operation of the Charlie Road detour route are anticipated. The Charlie Road detour route would not be adjacent to sensitive uses. Therefore, no mitigation measures are required.

Traffic and Transportation

The construction and operation of the Charlie Road detour route would introduce a new roadway into the existing roadway network. The Charlie Road detour route would also introduce a new at-grade railroad crossing. The detour route would introduce new temporary traffic signals at the following intersections:

- Gale Avenue/New Charlie Road
- Railroad Street/New Charlie Road
- Railroad Street/Existing Charlie Road
- San Jose Avenue/Existing Charlie Road

During the construction of the Nogales Street grade separation, the Charlie Road traffic signalization will comply with City of Industry, County of Los Angeles, and Caltrans signalization requirements. As discussed in the traffic report of the potential detour routes prepared by AECom, the operation of the Charlie Road detour route would create a traffic problem area at the Walnut Drive/Fairway Drive intersection due to increased congestion.[82] The detour traffic report includes measures that would reduce these problem areas, including temporary restriping. Implementation of a traffic management plan that would alert motorist of the new detour route will also reduce this traffic problem. Therefore, no adverse impacts associated with transportation and traffic during construction are anticipated.

[82] AECom, *Nogales Street Grade Separation – Construction Detour Routing Traffic Management Analysis*, June 2009.

COMMENT LETTER #1

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Joseph Lin / Purrfect Auto
Nombre / 姓名

Phone: 626 810 6334
Teléfono / 電話

Address: Street 1100 S. Nogales st
Dirección City Rowland Heights Ca
地址 Zip Code 91587

E-mail: ovarno228@hotmail.com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

I would like to know how the City will Substitute or Compinsate our bussiness income durning Construction as my shop is located on the Corner of Gale/Walnut st Nogales, and if So how do I make sure to get it and not the property owner. 1-1 1-2

Submittal

Submitted by/Sometido por/姓名: Joseph Lin
Signature/Firma/簽名: Joseph Lin
Date/Fecha/日期: 11-13-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094. Please submit comments to ACE on or before December 8, 2008.

Comment Letter 1

Joseph Lin
Purrfect Auto
1100 S. Nogales Street
Rowland Heights, CA 92587
November 13, 2008

Response No. 1-1

This comment is regarding financial concerns during construction of the proposed project. The property at 1100 S. Nogales Street will be partially taken for the construction of the proposed project. As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. As this is a partial take, other mitigation measures that would be in place for the remaining businesses include providing adequate access to the site and working with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

The comment regarding who would receive financial compensation during construction is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 1-2

The comment regarding who would receive financial compensation during construction is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #2

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: David Wong
Nombre / 姓名

Phone: 909-869-6299
Teléfono / 電話

Address: Street 20955 Pathfinder Rd; #210
Dirección City Diamond Bar
地址 Zip Code 91765

E-mail: David@GoldenPacificrealty.c
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

- Parking impact on 99 shopping center. cost of Parking Space and Ex.t driveways. 2-1

Submittal

Submitted by/Sometido por/姓名: David
Signature/Firma/簽名:
Date/Fecha/日期: 11/13/08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 2

David Wong
20955 Pathfinder Road #210
Diamond Bar, CA 91965
November 13, 2008

Response No. 2-1

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

COMMENT LETTER #3

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Stephen Bledsoe
Nombre / 姓名

Phone: 626 278-5288
Teléfono / 電話

Address: Street 6249 S. Rancho Sin. Dr.
Dirección City Covina, CA
地址 Zip Code 91724

E-mail: SCRPA@CA.RR.com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

My family owns three properties that are planned for Aquisition on the South East Corner of Nogales & San Jose. Our property would be acquired & built under, then sold as surplus We have cooperated with other projects but feel this Aquisition benefits land locked properties at the Expense of three lots with street Access. I would like to Explore the poss. bility of Retaining owners hip during construction. Our ownership has been since 1946. 3-1 3-2

Submittal

Submitted by/Sometido por/姓名:
Signature/Firma/簽名:
Date/Fecha/日期: Nov. 13, 2008

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 3

Stephen Bledsoe
649 S. Rancho Simi Drive
Covina, CA 91724
November 13, 2008

Response No. 3-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 3-2

Refer to Response No. 3-1.

COMMENT LETTER #4

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: ROBBIE LIANG
Nombre / 姓名 Quality Work Inc. (Gifts/Jewelry)
Phone: 626-823-1389
Teléfono / 電話

Address: Street 1015 S. NOGALES ST, #112
Dirección City ROWLAND HEIGHTS, CA.
地址 Zip Code 91748

E-mail: QWJEWELRY@YAHOO.COM
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

How the settlement about business lost during the Construction 2 years period. Any compensive about the rent we have to pay the landlord. Concern re lost business during Nogales closure – Explained business support program

4-1

4-2

Submittal

Submitted by/Sometido por/姓名: ROBBIE LIANG
Signature/Firma/簽名:
Date/Fecha/日期: Nov. 13, 2008

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094. Please submit comments to ACE on or before December 8, 2008.

Comment Letter 4

Robbie Liang
Quality World Inc.
1015 S. Nogales Street
Rowland Heights, CA 91748
November 13, 2008

Response No. 4-1

As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. For other businesses that are not relocated, other mitigation measures would be in place which include providing adequate access to the site and working with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

Response No. 4-2

The comment regarding who would receive financial compensation during construction is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #5

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Neil Kay
Nombre / 姓名

Phone: (626) 913-9964
Teléfono / 電話

Address: Street 926 S. Nogales St.
Dirección City Rowland Heights
地址 Zip Code 91748

E-mail: neilkay@southwest.net
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

As of plans today, my business, Kay-Met Recycling are pleased not to be moved. It may be tough for us through construction, but with advertising and signage, we may be OK. 5-1

In addition, we would be interested in purchasing our property and any additional property if available. 5-2

I would like to be in contact with correct people to discuss further. 5-3

Thank You

Submittal

Submitted by/Sometido por/姓名: Neil Kay, Kay-Met Recycling
Signature/Firma/簽名: N Kay
Date/Fecha/日期: 11/13/08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 5

Neil Kay
926 S. Nogales Street
Rowland Heights, CA 91748
November 13, 2008

Response No. 5-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 5-2

Refer to Response No. 5-1.

Response No. 5-3

Refer to Response No. 5-1.

COMMENT LETTER #6

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Just Kanpai (Wendy)
Nombre / 姓名

Phone: (909) 702-3600
Teléfono / 電話

Address: Street 18902 E. Gale #A
Dirección City Rowland Hts, CA 91789
地址 Zip Code

E-mail: justkanpai@yahoo.com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

Need restaurant support (compensation) financial help!!

6-1

Submittal

Submitted by/Sometido por/姓名: _____

Signature/Firma/簽名: _____

Date/Fecha/日期: _____

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094. Please submit comments to ACE on or before December 8, 2008.

Comment Letter 6

Just Kanpai (Wendy)
18900 E. Gale Avenue #A
Rowland Heights, CA 91789
November 13, 2008

Response No. 6-1

The comment regarding the need for financial compensation is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #7

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Catherine Liu
Nombre / 姓名 Kubo's WOOD TEPPANYAKI REST.

Address: Street 18900 E. GALE AVE #B
Dirección City Rowland HEIGHTS
地址 Zip Code CA 91748

Phone: c ~~(626)~~ (951) 265-6388
(626) 912-1382
Teléfono / 電話

E-mail: justkanpai@yahoo.com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

Need restaurant support (Compensation)
financial help.

7-1

Submittal

Submitted by/Sometido por/姓名: _____

Signature/Firma/簽名: _____

Date/Fecha/日期: _____

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094. Please submit comments to ACE on or before December 8, 2008.

Comment Letter 7

Catherine Liu
18902 E. Gale Avenue #B
Rowland Heights, CA 91748
November 13, 2008

Response No. 7-1

The comment regarding the need for financial compensation is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #8

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 • www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Nombre / 姓名: Huang Qi Yuan

Phone: Teléfono / 電話: (626)581-1958

Address: Dirección 地址

Street: 18922 Gale AVE #D

City: R. H

Zip Code: Ca 91748

E-mail: Coreo electrónico / 電郵網址:

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

YW's (周緑園休闲食品店) 在萬利商 8-1

場. 我们拥护赞同此工程. 但工程期间 8-2

影响的生意 將怎么办?

Submittal

Submitted by/Sometido por/姓名:

Signature/Firma/簽名:

Date/Fecha/日期:

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094. Please submit comments to ACE on or before December 8, 2008.

Comment Letter 8

Huang Qi Yuan
18922 Gale Avenue #D
Rowland Heights, CA 91748
November 13, 2008

The translation of Comment Letter 8 is as follows:

Comment No. 8-1

"Yu's is located in the Mandarin Plaza, and we all give full support towards this project."

Response No. 8-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Comment No. 8-2

"However, business will be affected during construction period. Is there any solution to that?"

Response No. 8-2

As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. For other businesses that are not relocated, other mitigation measures would be in place which include providing adequate access to the site and working with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

COMMENT LETTER #9

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: David / TERI MALKIN

Phone: 626/964-5762

Address: Street 18021 Galatina St
City Rowland HTS
Zip Code 91748

E-mail: dtmalkin@yahoo.com

Attendee Comment/Issue & ACE Response

Fullerton Rd must be in phase I or II for a grade seperation. When a train passes this intersection Gale & Fullerton Rd comes to a complete Stop. Traffic backs up on the 60 Fwy off ramp for the 60 West & on Fullerton Rd south past Cotenia. Re back-up on the Fwy off ramp onto the Fwy 60 make a dangerous situation. 9-1 9-2 9-3

Submitted by David & Teri Malkin

Comment Letter 9

David & Teri Malkin
18021 Galatina Street
Rowland Heights, CA 91748
November 13, 2008

Response No. 9-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 9-2

Refer to Response No. 9-1.

Response No. 9-3

Refer to Response No. 9-1.

COMMENT LETTER #10

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: Lynne Ebenkamp

Phone:

Address: Street 1815 Debano Place
City RHTS, CA
Zip Code 91748

E-mail: imLynne@gmail.com

Attendee Comment/Issue & ACE Response

Rowland Heights —

Fullerton road in RHTS needs the grade separation
Worse than any street done in our area so far. 10-1
It should replace Turnbull Canyon Rd (not heavily used)
on the schedule 10-2
Fullerton Rd goes from Valley, South & turns into Harbor
Blvd, clear to the Beaches. 10-3

Please fix it ASAP

Submitted by L Ebenkamp

Comment Letter 10

Lynne Ebenkamp
1815 Debann Place
Rowland Heights, CA 91748
November 13, 2008

Response No. 10-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 10-2

Refer to Response No. 10-1.

Response No. 10-3

Refer to Response No. 10-1.

COMMENT LETTER #11

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Patrick Yau
Nombre / 姓名 YL Beauty Salon

Address: Street 1015 S. Nogales ST. #118
Dirección City Rowland Hts Ca
地址 Zip Code 91748

Phone: 714-875-7226
Teléfono / 電話

E-mail:
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

Concern re business losses during Nogales closure.
Any compensation available?

11-1

Submittal

Submitted by/Sometido por/姓名: Paul Huber
Signature/Firma/簽名:
Date/Fecha/日期:

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 11

Patrick Yau
1015 S. Nogales Street, #118
Rowland Heights, CA 91748
November 13, 2008

Response No. 11-1

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 11-2

As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. For other businesses that are not relocated, other mitigation measures would be in place which include providing adequate access to the site and working with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

COMMENT LETTER #12

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: Jose Sarinana / Elite Auto Body Phone: 626/964-1031

Address: Street 938 S. Nogales St. E-mail: cell 626/712-8658
City Industry
Zip Code 91748

Attendee Comment/Issue & ACE Response

Is it possible to construct the retaining walls without impacting his buildings? Would prefer to remain in location. 12-1, 12-2

Submitted by Paul Hubler

Comment Letter 12

Jose Sarinana
Elite Auto Body
938 S. Nogales Street
Industry, CA 91748
November 13, 2008

Response No. 12-1

The construction of the retaining walls will follow the most updated engineering methods available. The extent to which buildings would be impacted during the construction of these retaining walls would be determined during the preliminary engineering phase of the proposed project. However, it is anticipated (based on the discussion of displacement in Section 2.1.2 Community Impacts), that the property at 938 S. Nogales Street would be partially taken. As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

Response No. 12-2

The comment states an opinion about the proposed project but does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #13

Elite Auto Body, Inc

938 S. Nogales

Rowland Hts, CA 91748

626-964-1031

December 5, 2008

ACE Construction Authority
4900 Rivergrade Rd. Ste. A120
Irwindale, CA 91706

Attention: Ricky Choe
Community Relations Manager

My Name is Jose Sarinana, owner of Elite Auto Body. I have read the environmental report, and it brought to my attention some issues that I am not comfortable with.

I am a minority owner with minority employees, I am sure we will be impacted by the proposed project on Nogales Street. 13-1

Please contact me, to further discuss the above issue.

Sincerely,

Jose Sarinana, Pres.

Comment Letter 13

Jose Sarinana
Elite Auto Body
938 S. Nogales Street
Industry, CA 91748
December 5, 2008

Response No. 13-1

As discussed in Section 2.1.2 Community Impacts, the Nogales Street grade separation portion of the Proposed Project does include the potential displacement of two businesses: a roofing company and an auto body repair shop along Nogales Street south of San Jose Avenue and north of the UPRR tracks. The roofing supply company and the auto body shop provide services to the surrounding community and it is probable that the immediate, primarily-minority community patronizes them. The decision for the displacement of these properties was based on engineering and access restrictions, and not on whether the businesses were minority-owned or serve minority populations. Also, there are additional roofing supplies and auto body repair shops in the surrounding community that would be able to provide similar services to the predominately-minority population. As such, no disproportionate impacts to minority populations are anticipated.

COMMENT LETTER #14

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: Ben Foo

Phone: 626/524-6464

Address: Street 18932 Gale Ave
City Rowland Heights
Zip Code 91748

E-mail: Benfoo@aol.com

Attendee Comment/Issue & ACE Response

Burger King franchise owner.

Loss of westbound Gale easterly driveway entrance will affect business traffic. 14-1

If design cannot be changed, would like compensation. 14-2

Submitted by P Hughes

Comment Letter 14

Ben Foo
18932 Gale Avenue
Rowland Heights, CA 91748
November 13, 2008

Response No. 14-1

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to keep the closure time down to minimum.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic detours would not be considered adverse.

Response No. 14-2

The comment regarding the need for financial compensation is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #15

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: David Voorhees

Phone: 626-854-5010

Address: Street 19161 E. Walnut Dr. North
City Cityof Ind.
Zip Code 91748

E-mail: david.voorhees@unilever

Attendee Comment/Issue & ACE Response

Has an issue with added traffic on Otterbein. Truck access to load and unload merchandise and supplies. Truck clearance and turnaround in/out of docks. School traffic impacts him, with added vehicle traffic it will be a nightmare

40' trucks to 53' trucks - 50 to 60 trucks daily

15-1

Submitted by

Comment Letter 15

David Voorhees
19161 E. Walnut Drive North
Industry, CA 91748
November 13, 2008

Response No. 15-1

Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to minimize the street closure time.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the City of Industry, and the County of Los Angeles to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic detours would not be considered adverse.

COMMENT LETTER #16

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Director –

Name: Mosque — Makhdoom Hussein – Boardmember

Phone: (626) 755-0037

Address: Street

City

Zip Code

E-mail:

Attendee Comment/Issue & ACE Response

Project will ~~be~~ impact them w/added traffic, they need extra parking on Walnut Dr. and Otterbein (Friday & Sunday) — 16-1, 16-2

Construction on new bldg – in phase I grading – Duration 2yrs total. — 16-3

Sheriff – for added traffic control ~~of~~ Friday afternoon from 12:30 to 2:30pm — 16-4

Ramadan – Mid August to Mid Sept – — 16-5

Submitted by

Comment Letter 16

Makhdoom Hussein, Director
Islamic Center of San Gabriel Valley
19164 E. Walnut Drive North
Rowland Heights, CA 91748
November 13, 2008

Response No. 16-1

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to minimize the duration of closure.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic detours would not be considered adverse.

No adverse traffic impacts are anticipated for the Gale Avenue/Walnut Drive widening part of the proposed project.

Response No. 16-2

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 16-3

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 16-4

Refer to Response No. 16-3.

Response No. 16-5

Refer to Response No. 16-3.

COMMENT LETTER #17

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: Marvin Chang – Walnut Auto Parts — Phone:

Address: Street
City
Zip Code

E-mail:

Attendee Comment/Issue & ACE Response

Concerned w/ losing parking on Otterbein & San Jose. 17-1

Wanted to understand the Grade separation. 17-2
And wanted to know if Rail Road St would continue to Otterbein — NO. —

Submitted by

Comment Letter 17

Marvin Chang
Walnut Auto Parts
No Address
November 13, 2008

Response No. 17-1

In the event the Otterbein detour remains the only viable detour, ACE shall work with all those affected parties to minimize its negative effects. As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 17-2

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. However, based on the preliminary plans, there is no planned connection between Railroad Street and Otterbein Avenue. As the preliminary engineering continues, more detailed plans will become available. Furthermore, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #18

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 • www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: Charlie Albadawi → Impound

Phone: (626) 343-0000

Address: Street Otterbein Ave.

City City

Zip Code 0

E-mail: Bobstow[illegible] @aol.com

Attendee Comment/Issue & ACE Response

18135 San Jose Ave. –

– Otterbein @ train tracks

– Access for Big Rigs, trucks at 3 locations — 2 axels – 18-1

added traffic will slow biz significantly 18-2

timing at traffic signal may help one location 18-3

Submitted by [signature]

Comment Letter 18

Charlie Albadawi
Impound
18135 San Jose Avenue
Rowland Heights, CA 91748
November 13, 2008

Response No. 18-1

Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 18-2

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to minimize the closure period of Nogales.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic detours would not be considered adverse.

No adverse traffic impacts are anticipated for the Gale Avenue/Walnut Drive widening part of the proposed project.

Response No. 18-3

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #19

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information ESA Industries, Inc.

Name: Douglas R. Shuffer

Phone: (626) 965-3536

Address: Street 9052 E. San Jose Ave.
City Industry, CA
Zip Code 91748-1412

E-mail: doug@esatools.com

Attendee Comment/Issue & ACE Response

Concerned w/ dirt Road access adjacent to Railroad. Can't do u-turns on property. 19-1

- Semi - truck - 45' trailers -
- Rear access is important 19-2

~~Need~~ asks to take into account.

Submitted by

Comment Letter 19

Douglas R. Shyffer
ESA Industries, Inc.
19052 San Jose Avenue
Industry, CA 91748
November 13, 2008

Response No. 19-1

Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 19-2

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #20

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: RAFAEL SHPELFOGEL

Phone: (310) 859-7777

Address: Street 301 N. CANON DR. #304
City BEVERLY HILLS, CA 90210
Zip Code

E-mail: RSHPEL@HOTMAIL.COM

Attendee Comment/Issue & ACE Response

Son of owner of car wash on Walnut Drive/Nogales. Asked about how project will impact his business. Concerned about Otterbein Ave., worried his car wash will go out of business. Asked about relocation assistance or financial assistance including reassessment (tax) on property. 20-1 20-2

Informed him of the project details. Explained the widening on Gale/Walnut prior to closure of Nogales. Provided him with information on business support program. 20-3

Submitted by RICKY

Comment Letter 20

Rafael Shpelfogel
301 N. Canon Drive #304
Beverly Hills, CA 90210
November 13, 2008

Response No. 20-1

Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 20-2

As discussed in Section 2.1.2 Community Impacts, ACE shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in the relocation of the displaced commercial or industrial businesses. A Relocation Plan will be developed for the displaced businesses and this Relocation Plan shall set forth procedures for the fair, uniform, and equitable treatment of persons and businesses displaced from their dwellings regardless of race, ethnicity, income, or age. Moving expenses will be reimbursed for actual and related costs incurred in moving. For other businesses that are not relocated, other mitigation measures would be in place which include providing adequate access to the site and working with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction. With compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, impacts related to social and economic issues, particularly those related to business displacement and relocation will not be considered adverse.

Response No. 20-3

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #21

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – ACE Staff Response Form

Attendee Contact Information

Name: MARK HUANG

Phone: 626 - 935 - 1204

Address: Street 18383 E. RAILROAD ST
City INDUSTRY
Zip Code 91748

E-mail: mark.huang@ecolab.com

Attendee Comment/Issue & ACE Response

TRAFFIC ISSUE:

HOW WOULD THIS CONSTRUCTION AFFECT OR ~~[illegible]~~ ACCOMODATE LARGE TANK TRUCK AND TRAILOR TRUCKS GOING INTO VARIOUS FACILITIES ALONG RAILROAD ST? 21-1

~~[illegible]~~ GIVEN THE FACT THAT A TEMPORARY THROUGHWAY ON OTTER BEIN WILL BE TEMPORARILY CONSTRUCTED HAS SAFETY BEEN ~~[illegible]~~ EVALUATED DURING CONSTRUCTION? 21-2

Submitted by _____

Comment Letter 21

Mark Huang
18383 E. Railroad Street
Industry, CA 91748
November 13, 2008

Response No. 21-1

Railroad Street would be closed at Nogales Street during construction and a cul-de-sac would be created that will permanently remove access to Nogales Street during operation of the grade separation. Railroad Street will still be accessible from Fullerton Road on the west. From the east, Railroad Street shall be accessible from San Jose Avenue via Charlie Road. ACE shall work with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. Also:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to minimize the closure period of Nogales Street.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
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- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Response No. 21-2

As discussed in Section 2.1.4 Public Safety in the IS/MND/EA, an approved health and safety plan shall be required to be in effect prior to construction to address any hazardous materials handling during construction activities. With implementation of this mitigation measure, no adverse impacts associated with public safety are anticipated.

COMMENT LETTER #22

Mitch Wright

Bob Wright Industrial Properties, Inc.
20635 B East Valley Boulevard, Walnut, CA 91789

(909) 598-2811
(626) 967-2811
Fax (909) 598-2827

November 13, 2008

Ricky Choi, Community Relations Manager
ACE Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

RE: NOGALES STREET ROADWAY UNDERPASS
OTTERBEIN AVENUE RAILROAD CROSSING

Dear Ricky,

I oppose the planned railroad crossing at Otterbein Avenue and Front Street in Rowland Heights. Opening an abandoned street adjacent to a high school and industrial businesses will create a dangerous condition. I believe Nogales Street traffic should be directed away from the area of Otterbein Avenue and Front Street to signalized intersections at Fairway Drive (east) and Fullerton Road (west). 22-1 22-2 22-3

Currently, many students who attend Santana High Continuation School (located at 1006 Otterbein Avenue) walk across the railroad tracks at Otterbein Avenue and Front Street on their way to and home from school. CDI Torque Products (Snap-On) utilizes Otterbein Avenue as a parking lot for over 30 cars daily. Bob's Towing (located on San Jose Avenue) also utilizes Otterbein Avenue for parking of large trucks and access for towed vehicles at their storage yard on Otterbein Avenue and Front Street (another abandoned street). Coast Crane utilizes Front Street and Otterbein Avenue for access to the rear of their property on San Jose Avenue. Tenants of 3V Properties business park - which connects between San Jose Avenue and Font Street, two parcels west of Otterbein Avenue - will be impacted negatively by a large increase in traffic. Many drivers directed to Otterbein Avenue will try and short cut through the 3V Properties business park to get to Otterbein Avenue or San Jose Avenue through Front Street. 22-4

Otterbein Avenue is a small one lane street that cannot adequately handle the two way traffic that would be imposed when Nogales Street traffic is directed to detour through Otterbein Avenue. The properties on San Jose Avenue at Otterbein Avenue will become negatively impacted by a dramatic increase in traffic and congestion and open the neighborhood to a number of safety hazards. 22-5 22-6

Please consider the safety of the neighborhood and direct traffic away from Nogales Street at Valley Boulevard to either Fairway Drive or Fullerton Road. 22-7

Mitchell E. Wright - President
Bob Wright Industrial Properties, Inc.
Agent for 3V Properties, LLC and Felix Daniel Cuffaro

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Leasing * Sales * Property Management
wrightproperties.com

Comment Letter 22

Mitchell E. Wright
Bob Wright Industrial Properties, Inc.
20635 B East Valley Boulevard
Walnut, CA 91789
November 13, 2008

Response No. 22-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 22-2

Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 22-3

Refer to Response No. 22-2.

Response No. 22-4

Refer to Response No. 22-2.

Response No. 22-5

Refer to Response No. 22-2.

Response No. 22-6

As discussed in Section 2.4 Construction Impacts, ACE shall work with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. Also:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so as to minimize the closure period of Nogales Street.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
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- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.

- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

As discussed in Section 2.1.4 Public Safety in the IS/MND/EA, an approved health and safety plan shall be required to be in effect prior to construction to address any hazardous materials handling during construction activities. With implementation of this mitigation measure, no adverse impacts associated with public safety are anticipated.

Response No. 22-7

Refer to Response No. 22-2.

COMMENT LETTER #23 (PAGE 1)

Ricky Choi

From: Baginski, John [John.Baginski@unilever.com]
Sent: Thursday, November 06, 2008 9:34 AM
To: Ricky Choi
Cc: Voorhees, David
Subject: RE: Nogales Street Grade Separation Project
Attachments: Nogales St South open house flyer.pdf

Hello Ricky,
Thank you for the communication. From Unilever's perspective our major concern has to do with the statement in the ACE Flyer (see attached) that says "Otterbein Avenue will be improved as a temporary local detour route with railroad crossing". 23-1

Otterbein Ave. south of the RR right-of-way is Unilever's only means of ingress and egress for continuous tractor-trailer shipping and receiving from this manufacturing plant. Although we are currently operating according to a two-shift schedule Mon. thru Fri., we routinely have operated according to a 24/7 schedule based on west coast supply chain demands. From our perspective, Otterbein Ave. appears barely capable of handling Unilever's traffic volume, the traffic contributed by our neighbor, the Rowland Unified School District, and the traffic contributed by other industrial and commercial neighbors on the eastern side of Otterbein Ave. south of the right-of-way. This level of vehicle congestion is frequently compounded by activities of the Islamic Center mosque on the south-west corner of Otterbein ave. and Walnut Dr. 23-2 23-3 23-4 23-5

Naturally, Unilever will be represented at the Thursday 11/13/2008 open house/information session but we would very much appreciate having advance information regarding our concern stated above. Please forward any additional information regarding the proposed improvements to Otterbein so that we can properly prepare for the 11/13 open house session. 23-6

Best Regards,
John Baginski
Site Engineering Manager
Unilever HPC
19161 E. Walnut Dr. N.
City of Industry, CA 91748
626-854-5015 Office
626-854-5090 FAX
909-263-4820 Mobile

From: Ricky Choi [mailto:rchoi@theaceproject.org]
Sent: Wednesday, November 05, 2008 3:21 PM
To: Baginski, John
Subject: RE: Nogales Street Grade Separation Project

Dear John,

Attached, please find information regarding the upcoming Open House for our Nogales Street grade separation project. Please feel free to contact me should you have any questions.

Best Regards,
Ricky Choi

RICKY CHOI
Community Relations Project Manager

1

COMMENT LETTER #23 (PAGE 2)

Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Tel: (626) 962-9292 ext. 154
Fax: (626) 472-0094
Cell: (626) 688-1010
rchoi@theaceproject.org

From: Ricky Choi [mailto:rchoi@theaceproject.org]
Sent: Wednesday, October 15, 2008 10:17 AM
To: 'john.baginski@unilever.com'
Subject: Nogales Street Grade Separation Project

Dear John,

Thank you for contacting Alameda Corridor-East Construction Authority (ACE) to inquire about the proposed grade separation project on Nogales Street at UPRR. As discussed, we are in the final stages of the design phase and anticip ite construction to start in 2009. Attached you will find the latest fact sheet regarding the project. As we move further along and have additional details finalized, we will be in contact with you to discuss how the project will impact your facility. ACE will work closely with Unilever and other businesses that will be affected by the construction activities. There will also be a public meeting planned in the near future.

Please feel free to contact me should you have any additional questions or concerns.

Best Regards,
Ricky Choi

RICKY CHOI
Community Relations Project Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Tel: (626) 962-9292 ext. 154
Fax: (626) 472-0094
Cell: (626) 688-1010
rchoi@theaceproject.org

Comment Letter 23

John Baginski
Unilever HPC
19161 E. Walnut Drive North
Industry, CA 91748
November 6, 2008

Response No. 23-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 23-2

Refer to Response No. 23-1.

Response No. 23-3

Refer to Response No. 23-1.

Response No. 23-4

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. However, Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment. This comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 23-5

Refer to Response No. 23-1.

Response No. 23-6

Refer to Response No. 23-1.

COMMENT LETTER #24

Ricky Choi

From: Carolynn Ruth [cruth@publicstorage.com]
Sent: Monday, November 10, 2008 4:14 PM
To: Ricky Choi
Subject: RE: Nogales Street Grade Separation - 19102 Walnut Drive

thank you!

Carolynn Ruth
Real Estate Paralegal
Public Storage
Tel: 818.244.8080 x1410

From: Ricky Choi [mailto:rchoi@theaceproject.org]
Sent: Monday, November 10, 2008 2:59 PM
To: Carolynn Ruth
Subject: RE: Nogales Street Grade Separation - 19102 Walnut Drive

Dear Ms. Ruth,

At this time, the current project design plans do not indicate a raised median on Walnut Drive North. A painted median will be installed unless changes are requested by the County.

Best Regards,
Ricky Choi

RICKY CHOI
Community Relations Project Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Tel: (626) 962-9292 ext. 154
Fax: (626) 472-0094
Cell: (626) 688-1010
rchoi@theaceproject.org

From: Carolynn Ruth [mailto:cruth@publicstorage.com]
Sent: Thursday, November 06, 2008 9:21 AM
To: Ricky Choi
Subject: RE: Nogales Street Grade Separation - 19102 Walnut Drive

Mr. Choi,
Thank you for this information. 24-1
When do you expect project design plans will be available?
You mention that raised medians are part of the Walnut expansion plan. Will the project eliminate left turns in and out of the Public Storage property? 24-2
Public Storage's driveway is more than 550' from Nogales. 24-3

Carolynn Ruth
Real Estate Paralegal
Public Storage
Tel: 818.244.8080 x1410

1

Comment Letter 24

Carolynn Ruth
Public Storage
701 Western Avenue
Glendale, CA 91201
November 6, 2008

Response No. 24-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 24-2

Refer to Response No. 24-1.

Response No. 24-3

Refer to Response No. 24-1.

COMMENT LETTER #25 (PAGE 1)

From: Ricky Choi [mailto:rchoi@theaceproject.org]
Sent: Wednesday, November 05, 2008 6:00 PM
To: Carolynn Ruth
Subject: RE: Nogales Street Grade Separation - 19102 Walnut Drive

Dear Ms. Ruth,

Thank you for contacting Alameda Corridor-East Construction Authority regarding the proposed grade separation project on Nogales Street in the City of Industry/Rowland Heights (LA County). Regarding your request for copies of project design plans, the plans and drawings are not available for release because they are in the process of being finalized. As you have noted, plans do call for Walnut Drive North to be permanently widened to provide two traffic lanes in each direction with center striped/raised medians to ease traffic congestion and improve traffic safety. Regarding your inquiry whether the widening of Walnut Drive North will require the temporary or permanent acquisition of property or easement from Public Storage, the current plans do not require any such acquisition.

I have attached the project fact sheet for your reference. If you have additional questions or concerns, we encourage you or a company representative to attend the Nogales Street grade separation community open house meeting scheduled from 6 p.m. to 8 p.m. on Thursday, November 13th at the Rowland Unified School District Headquarters, 1130 Nogales Street in Rowland Heights. ACE staff will be available to provide further details and answer any questions.

Please feel free to contact me should you have any questions.

Best Regards,
Ricky Choi

RICKY CHOI
Community Relations Project Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Tel: (626) 962-9292 ext. 154
Fax: (626) 472-0094
Cell: (626) 688-1010
rchoi@theaceproject.org

From: Carolynn Ruth [mailto:cruth@publicstorage.com]
Sent: Tuesday, November 04, 2008 10:25 AM
To: rchoi@theaceproject.org
Subject: Nogales Street Grade Separation - 19102 Walnut Drive

Mr. Choi,
Public Storage owns the property at 19102 Walnut Drive, Rowland Heights. 25-1

Although it appears that the property will not be directly affected by the grade separation itself, Public Storage is concerned regarding the plan to widen Walnut Drive. 25-2
Does the Authority contemplate acquiring any portion of Public Storage's property for the widening project, whether in fee or easement, permanently or temporarily? Is the widening of Walnut to be permanent or will it be returned to its current state after construction is complete and Nogales reopened? 25-3 25-4

Please send me copies of all plans, drawings, aerials, or diagrams that show the proposed changes to Walnut Drive near this property. 25-5

Thank you.

2

COMMENT LETTER #25 (PAGE 2)

Carolynn Ruth
Real Estate Paralegal
Public Storage
701 Western Avenue
Glendale, CA 91201-2349
Tel: 818.244.8080 x1410
Fax: 818.543.7341
Email: cruth@publicstorage.com

3

Comment Letter 25

Carolynn Ruth
Public Storage
701 Western Avenue
Glendale, CA 91201
November 6, 2008

Response No. 25-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 25-2

Refer to Response No. 25-1.

Response No. 25-3

Table 2.1-5 (List of Displacement Properties) and Figure 2.1-2(Parcels Potentially Affected by Displacement) in Section 2.1.2 Community Impacts indicate the properties where full or partial takes would be required, as well as where easements would be needed. The property where the Public Storage is located is not one of these properties.

Response No. 25-4

As discussed in Section 2.3 Proposed Project: Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project, the Gale Avenue/Walnut Drive widening portion of the proposed project would widen a 0.47-mile segment of Walnut Drive by 16 to 18 feet (8 to 9 feet on either side), from its intersection with Nogales Street, creating a four lane road (two lanes in each direction). The westbound approach to Nogales Street would be reconfigured to accommodate two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The changes would be permanent.

Response No. 25-5

Refer to Response No. 25-1.

COMMENT LETTER #26

Ricky Choi

From: Fung, Hank [HFUNG@dpw.lacounty.gov]
Sent: Monday, December 08, 2008 4:34 PM
To: rchoi@theaceproject.org
Cc: Charles Tsang; Ude, Allen; Dingman, Ed
Subject: Comments on Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project IS/EA/MND

Hello Ricky,

We have the following comment on the IS/EA/Proposed MND for the Nogales Street Grade Separation:

In keeping with the intent of Assembly Bill 32 (AB 32), the impact of the project on greenhouse gases needs to be discussed in the document. 26-1

Thank you.

- Hank Fung

Hank Fung, P.E.
County of Los Angeles Department of Public Works
Programs Development Division, Federal Programs Section
626-458-3980 .... hfung@dpw.lacounty.gov

1

Comment Letter 26

Hank Fung
County of Los Angeles Department of Public Works
No Address
December 8, 2008

Response No. 26-1

The following text has been added to Section 2.5 Cumulative Impacts regarding greenhouse gases:

According to a recent white paper by the Association of Environmental Professionals, "an individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases (GHG). Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California's GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation, Caltrans has created and is implementing the *Climate Action Program* at Caltrans. Transportation's contribution to GHG emissions is dependent on three factors: the types of vehicles on the road, the type of fuel the vehicles use, and the time/distance the vehicles travel.

Caltrans is actively involved on the Governor's Climate Action Team as the CARB works to implement AB 1493 and AB 32. As part of the *Climate Action Program* at Caltrans, Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks. However it is important to note that the control of the fuel economy standards is held by the USEPA and the CARB. Lastly, the use of alternative fuels is also being considered; Caltrans is participating in funding for alternative fuel research at the University of California Davis.

One of the main strategies in the Caltrans' *Climate Action Program* to reduce GHG emissions is to make California's transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0 to 25 miles per hour) and speeds over 55 mph; the most severe emissions occur from 0 to 25 miles per hour. Relieving congestion by enhancing operations and improving travel times in high congestion travel corridors will lead to an overall reduction in GHG emissions. The construction of the grade separation would eliminate stop-and-go activity associated with train crossing. In addition, the roadway widening would improve the roadway level of service and reduce vehicle idling time associated with congestion and light cycles. The proposed project would reduce GHG emissions compared to existing conditions.

COMMENT LETTER #27

Happy Harbor Rest.
1013 S. Nogales St.. #126
Rowland Heights, CA 91748
626-965-2020

12-8-08

Dear Sir,

This letter represents the Happy Harbor Rest. had great concern about the construction that's about take place road on the Nogales. We as the tenant greatly object this project especially at this harsh economic time. We strongly believes with this up coming construction we will have hard time to service, possibly force to close down the store unless some reimbursements were talking in place, and the reasons been are noise pollution, air pollution, traffic problem and the time and length of this construction. 27-1 27-2

This is well known that the economic is getting worse and worse everyday and the customers' purchasing urge is lower than before. With the construction happen to start at this difficult time basically the store can be foreclose or running out of the business easy. On top of that the length of this construction is taking too long. Eventually all the remaining customers who can tolerance all the inconvenience this construction has created at first will end up going else were. 27-3

From business point of view once the customer is gone it is harder to get them back. Therefore, even the construction will create better commute after it is done, but by that time the customer will be all gone or forgotten about our store in this plaza. 27-4

We strongly urge the project not to tale place. We hope this matter can be resolved. If this matter cannot be resolved in an agreeable manner, we will bring this letter to City. 27-5

Thank you for your attention

J (Jackie)

Manager
Happy Harbor Rest.

Comment Letter 27

Jackie
Happy Harbor Restaurant
1015 S. Nogales Street #126
Rowland Heights, CA 91748
December 8, 2008

Response No. 27-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 27-2

As discussed in Section 2.4 Construction Impacts, there are several mitigation measures identified that would result in no adverse impacts regarding construction air quality, noise and vibration, and traffic. These mitigations include:

Construction – Air Quality

No adverse impacts associated with air quality during construction of the Proposed Project are anticipated. The following BMPs are included to ensure proper implementation of SCAQMD Rule 403.

- Construction contractors shall maintain mobile and stationary equipment in proper working order. This will reduce emissions of ROG, NO_X, and PM_{10} by approximately five percent. Construction equipment should use low sulfur fuels as practicable.
- SCAQMD Rule 403- Fugitive Dust will apply to the construction phase of the Proposed Project. Contractors shall water actively graded sites to reduce fugitive dust emissions. On-site stockpiles of dirt or debris shall be covered or watered twice daily. Watering should be adequate to eliminate visible dust plumes. Site access points shall be swept or washed within 30 minutes of visible dirt deposition on any public roadway. These measures will reduce emissions by approximately 50 percent.
- Travel speeds on unpaved surfaces shall be kept to below 15 miles per hour. Haul trucks shall be covered and two feet of freeboard shall be left between the top of the load and the top of the truck bed.
- Ballast shall be wetted as it is unloaded from haul trucks to reduce dust emissions. This measure would reduce dust from ballast by at least 50 percent.
- Construction operations on any unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
- Non-potable water shall be used for construction activities as feasible.
- Proposed Project contractors shall use asphalt-paving materials that comply with SCAQMD's Rule 453 regarding compliant paving material.

Construction – Noise

It is not anticipated that the construction specifications would limit nighttime construction. There may be times when nighttime construction is desirable (e.g., in commercial districts where nighttime construction would be less disruptive to businesses in the area) or necessary to avoid unacceptable traffic disruptions.

Since the construction would be subject to the requirements of the local noise regulations, the contractor would need to work with local authorities to establish an acceptable approach balancing interruption of the business and residential community, traffic disruptions, and reducing the total duration of the construction.

There are a number of measures that shall be taken, including noise monitoring, to ensure that contractors take all reasonable steps to minimize noise. Equipment shall be inspected and noise tested to ensure that all equipment on the construction site is in good condition and effectively muffled. A community liaison shall be used to keep residents and businesses informed about construction plans so they can plan around periods of particularly high noise levels. The contractor shall adhere to the following noise control requirements, which shall be included in the construction specifications, to mitigate construction noise impacts during the widening of Gale Avenue/Walnut Drive widening portion of the Proposed Project:

- All construction shall be performed in a reasonable manner to minimize noise. Where practical, the contractor shall select construction processes and techniques that create reduced noise levels. Examples include mixing concrete off-site instead of on-site and using hydraulic tools instead of pneumatic impact tools.
- Equipment with effective mufflers shall be used. Diesel motors are often the major noise source on construction sites. Contractors shall employ equipment fitted with the most effective commercially available mufflers.
- All construction shall be performed in a manner to maintain noise levels below specific limits at noise sensitive land uses.
- Noise monitoring shall be performed during construction to demonstrate compliance with the noise limits.
- Construction activities shall be limited during evening, nighttime, weekend, and holiday periods.
- Haul routes shall be selected that minimize intrusion to residential areas.

With implementation of these mitigation measures, impacts associated with construction noise would not be considered adverse.

Construction – Traffic

Nogales Street Grade Separation

ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so only one crossing in an area is affected at one time.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction air quality, noise, and traffic would not be considered adverse.

Response No. 27-3

Refer to Response No. 27-1.

Response No. 27-4

Refer to Response No. 27-1.

Response No. 27-5

Refer to Response No. 27-1.

COMMENT LETTER #28

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Happy Harbor Rest
Nombre / 姓名

Phone: 626-965-2020
Teléfono / 電話

Address: Street 1015 S. Nogales St. #126
Dirección City Rowland Heights
地址 Zip Code CA 91748

E-mail:
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

We strongle disagree the phiece. 28-1

FAXED
DEC 09 2008
By

Submittal

Submitted by/Sometido por/姓名: Jackie
Signature/Firma/簽名:
Date/Fecha/日期: 12-8-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 28

Jackie
Happy Harbor Restaurant
1015 S. Nogales Street #126
Rowland Heights, CA 91748
December 8, 2008

Response No. 28-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #29 (PAGE 1)

TAWA SUPERMARKET, INC.
6281 REGIO AVE. BUENA PARK, CA 90620
TEL: 714-521-8899 FAX: 714-670-7799
http: //www.99ranch.com

Via E-mail: Rchoi@theaceproject.org
And U.S Mail

December 2, 2008

Mr. Ricky Choi
Community Relation Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

Re: Comments on the November 2008 Initial Study/Environmental Assessment ("Initial Study") pertaining to the Gale Avenue Widening and Nogales Street Grade Separation Project

Mr. Choi,

In light of the information garnered from the Initial Study, we, as business owner at 1015 S. Nogales Street., Rowland Heights, CA, are seriously concerned over the substantial impact this proposed project will have on our business. It is with great conviction when we say our business will, without a doubt, be negatively impacted by this proposed project. 29-1

Based on this current proposal, a significant portion of our on-site parking area would be severely compromised. If the agency were to proceed with the proposed Right of Way Acquisition and Construction Easement, a minimum of 73 parking stalls would be permanently eliminated and more than 145 parking stalls would be deemed unusable throughout the duration of the construction period. In essence, potentially over 33 percent of our parking spaces will be compromised. So unless the agency seeks an alternative solution, this significant reduction in the number of parking spaces would, undoubtedly, have a material adverse effect on our business. 29-2

Aside from the parking concern, there is also the matter of traffic congestion which needs to be addressed. Despite the Initial Study described efforts to minimize construction traffic, the existing traffic problems faced by surrounding businesses and shoppers around the intersection of Nogales Street and Gale Avenue will nevertheless be made worse for quite some time. A worsened level of service added to the drastic reduction in parking spaces would be severely detrimental to our business. Therefore, we respectfully request that additional alternative measures be sought to minimize the negative impact of this project. 29-3

COMMENT LETTER #29 (PAGE 2)

TAWA SUPERMARKET, INC.
6281 REGIO AVE. BUENA PARK, CA 90620
TEL: 714-521-8899 FAX: 714-670-7799
http: //www.99ranch.com

Also, it would be greatly appreciated if you could keep us posted on any future developments for this project. Please direct any notices and/or correspondence to me at 6281 Regio Avenue, Buena Park, CA 90620. 29-4

Thank You.

Sincerely,

Kathy Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
(714)521-8899 ext.264
kathydu@tawa.com

COMMENT LETTER #29 (PAGE 3)

Ricky Choi

From: Katherine Du [kathydu@tawa.com]
Sent: Thursday, December 04, 2008 10:11 AM
To: 'Rchoi@theaceproject.org'
Subject: Comments on the Initial Study/Environmental Assessment for Gale Avenue Widening and Nogales Street Grade Separation Project
Attachments: 99 Ranch .pdf

Mr. Choi,

Attached is the comment for the Initial Study with respect to the Gale Avenue Widening and Nogales Street Grade Separation Proje :t. Should you have any questions, please feel free to contact me at the number below.

Sincerely,
Kathy Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
(714)521-8899 ext. 264

1

Comment Letter 29

Katherine Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
December 4, 2008

Response No. 29-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 29-2

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970. Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

Response No. 29-3

As discussed in Section 2.4 Construction Impacts, there are mitigation measures identified that would result in no adverse construction traffic impacts. Among the plans to reduce congestion is to develop a detour route with adequate signage and signalization. Although the construction of the Nogales Street grade separation is estimated to last approximately 24 months, the increased congestion would be temporary. Based on the current traffic patterns, it is conceivable that some people would utilize Fullerton Road or Fairview Drive to reach this business. However, it would be speculative to estimate driver choices. As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so only one crossing in an area is affected at one time.

- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Response No. 29-4

Refer to Response No. 29-1.

COMMENT LETTER #30 (PAGE 1)

TAWA SUPERMARKET, INC.
6281 REGIO AVE. BUENA PARK, CA 90620
TEL: 714-521-8899 FAX: 714-670-7799
http: //www.99ranch.com

Via E-mail: Rchoi@theaceproject.org
And U.S Mail

December 5, 2008

Mr. Ricky Choi
Community Relation Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

Re: Comments on the November 2008 Initial Study/Environmental Assessment ("Initial Study") pertaining to the Gale Avenue Widening and Nogales Street Grade Separation Project

Mr. Choi,

We have just been informed that the actual loss of the parking space would be 93 instead of the previously stated 73. 30-1

Please take this matter into serious consideration.

Thank You.

Sincerely,

Kathy Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
(714)521-8899 ext.264
kathydu@tawa.com

COMMENT LETTER #30 (PAGE 2)

Ricky Choi

From: Katherine Du [kathydu@tawa.com]
Sent: Friday, December 05, 2008 9:43 AM
To: 'Rchoi@theaceproject.org'
Subject: Comments on the Initial Study/Environmental Assessment for Gale Avenue Widening and Nogales Street Grade Separation Project
Attachments: 99 Ranch (2).pdf

Mr. Choi,

Please see attachment for the additional area of concern. Thank you for your attention to this matter.

Sincerely,
Kathy Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
(714)521-8899 ext. 264
www.99ranch.com

1

Comment Letter 30

Katherine Du
99 Ranch Market
6281 Regio Avenue
Buena Park, CA 90620
December 5, 2008

Response No. 30-1

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

NOV-24-2005 03:41P FROM: **COMMENT LETTER #31** TO:9495538188 P.1

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Pho Rowland, Inc./Diana Tran
Nombre / 姓名

Phone: (626) 217-7940
Teléfono / 電話

Address: Street 18910 E. Gale #A
Dirección City Rowland Hights, CA 91748
地址 Zip Code 91748

E-mail:
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

I, Diana Tran, am one of the owners of a restaurant located at 18910 E. Gale, #A, Rowland Heights, CA 91748. 31-1

My business is heavily dependent on easy vehicle access to the center in which my business is located. My concern is that the blockage of Nogalis and/or Gale will have a serious impact on my business. 31-2

Thus, every meansure should be made to mitigate the flow of traffic to my center. Suggestions would include signage, lane stripping, and advertisments supported by Cal Trans and other agencies involved. 31-3

Submittal

Submitted by/Sometido por/姓名: Diana Tran/Pho Rowland, Inc.
Signature/Firma/簽名: Diana Tran
Date/Fecha/日期: December 4, 2008

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 31

Diana Tran
Pho Rowland
18910 E. Gale Avenue #A
Rowland Heights, CA 91748
December 4, 2008

Response No. 31-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 31-2

Refer to Response No. 31-1.

Response No. 31-3

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so only one crossing in an area is affected at one time.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

COMMENT LETTER #32

DEC 09 2008 2:34PM HP LASERJET 3200 P.1

FAX #(626) 472-6094

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE 1425 • Fax: (626) 472-6094
www.theacecorridor.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡資訊

Name: DIAMOND BAKERY
Nombre / 姓名

Phone: 626-912-3798
Teléfono / 電話

Address: Street 1015 S. NOGALES ST.
Dirección Calle
地址 City ROWLAND HTS.
Zip Code CA 91748

E-mail: asunpeter@hotmail.com
Correo electrónico / 電郵網址

Public Comment / Comentarios / 意見回饋 (Attach additional pages if necessary)

12-9-08

To whom it may concern,

We definitely disagree this project since it will completely reduce our clientele especially under this recession. 32-1

Peter
Owner of DIAMOND BAKERY

Submittal

Submitted by/Sometido por/姓名:
Signature/Firma/簽名:
Date/Fecha/日期: 12-9-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 32

Jackie
Diamond Bakery
1015 S. Nogales Street
Rowland Heights, CA 91748
December 8, 2008

Response No. 32-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #33

November 25, 2008

Ricky Choi
Community Relations Manager
ACE Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

Re: ***Nogales Street Roadway Underpass***
Otterbein Avenue Railroad Crossing

Dear Mr. Choi:

I am writing to express our opposition to the planned railroad crossing at Otterbein Avenue and Front Street in Rowland Heights. The planned use of this crossing will create a dangerous condition. Otterbein Avenue is a small one lane street and cannot adequately handle the two way traffic that would be diverted to the street upon closure of Nogales. Our facility, on the corner of Nogales and Sentous (about 100 yards east of Otterbein), has a significant number of large trucks arriving and departing throughout the day. The dramatic increase in traffic and congestion that will result from detouring Nogales traffic through Otterbein will have a detrimental impact on our property and business and likely contribute to an increase in neighborhood safety issues. I am not certain what environmental impact and traffic mitigation studies have been completed, if any, but I find it difficult to believe that they would support a decision to detour traffic through Otterbein.

33-1
33-2
33-3
33-4

We believe a better alternative is to direct Nogales Street traffic away from the area of Otterbein Avenue and Front Street to the intersections at Fairway Drive to the east and Fullerton Drive to the West. These intersections already have signals installed and are major existing thoroughfares designed to handle large volumes of traffic.

33-5

Thank you for giving thought to our concerns.

Sincerely,

Michael Amiri, Esq.

RECEIVED
DEC 02 2008
BY:

19315 E. SAN JOSE AVE. • CITY OF IDUSTRY, CA 91748
BUS. 909.598.7416 • FAX 909.598.4036

Comment Letter 33

Michael Amiri, Esq.
PrimeTime Nutrition
19315 E. San Jose Avenue
Industry, CA 91748
November 25, 2008

Response No. 33-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 33-2

Otterbein Avenue will no longer be utilized as a detour route. Refer to Section 5.3 Charlie Road Detour Route Analysis above for response to this comment.

Response No. 33-3

As discussed in Section 2.1.4 Public Safety in the IS/MND/EA, an approved health and safety plan shall be required to be in effect prior to construction to address any hazardous materials handling during construction activities. With implementation of this mitigation measure, no adverse impacts associated with public safety are anticipated.

As for construction traffic, as discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
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- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Response No. 33-4

The environmental review that has been conducted on the proposed project is this IS/MND/EA. In addition, there are two traffic studies and a detour plan study, conducted in response to public comments on detour routes that have been completed. The two traffic studies are referenced in the IS/MND/EA and the additional detour route traffic study is available from ACE.

Response No. 33-5

Refer to Response No. 33-1.

COMMENT LETTER #34 (PAGE 1)

1 of 6

To Whom It May Concern:

This letter represent all the tenants in the Mandarin Plaza whom had great concern about the construction that's about to take place at the rail road on the Nogales. We as the tenants greatly object this project especially at this harsh economic time. We strongly believed with this up coming construction we will have hard time to survive, possibly force to close down the store unless some reimbursements were taking in place, and the reasons been are: 34-1 34-2 34-3

1. Noise pollution: The construction requires placing heavy steels into the ground which create loud noise not only to the employee, but the customers will most likely won't be able to tolerance it. 34-4

2. Air pollution: Digging the street, bulldozing old structure and building the new one will produce air pollution which is hazardous. It will give customers a reason to stop coming to this shopping mall. Also, the merchants and products the store carried or selling will easily get dirty and polluted. In result the store will end up not able to sell the items and over stock themselves which will create hardship on their finance. Plus the stores have to spend more money trying to keep the store clean inside out. 34-5

3. Traffic Problem: With the street block off the customers will have to go around or take extra route to get to this plaza. With current economic customers won't be interested to spend extra time and effort to come to this plaza especially when there is going to be other similar stores at other plaza which they can be easily access to. 34-6

4. The time and length of this construction: This is well known that the economic is getting worse and worse everyday and the customers' purchasing urge is lower than before. With the construction happen to start at this difficult time basically the store can be foreclose or running out of the business easy. On top of that the length of this construction is taking too long. Eventually all the remaining customers who can tolerance all the inconvenience this construction has created at first will end up going else were. From business point of view once the customers is gone it's harder to get them back. Therefore, even the construction will create better commute after it's done, but by that time the customers will be 34-7

COMMENT LETTER #34 (PAGE 2)

2 of 6

all gone or forgotten about the stores in this plaza.

Combine all the reasons above we strongly urge the project not to take place at least not at this difficult period of time, but if the construction is in avertable we should be reimbursed. Post flyers or free commercial billboards on the side of the construction for the stores in this plaza provide no real value for the stores that's struggling through this construction. We strongly believed helping us financially during this difficult time is more beneficial for all the stores in Mandarin Plaza. 34-8

Let's hope this matter can be resolved, because it will be ashamed to have nice new structure that will benefit the community around this area but no stores to go shop at. If this matter can't be resolved in an agreeable manner, we as the tenants in Mandarin Plaza will have to bring this issue to the City. 34-9

PS. Attachments follow this letter are the signatures from all the tenants in Mandarin Plaza. We are willing to get through the bottom of this to resolve this matter. 34-10

Thank you

Main Contact:
Wendy
(909)702-3600.

KING LAW
(626)534-4722

COMMENT LETTER #34 (PAGE 3)

3 of 6 9.1

Mandarin Plaza Tenants:

Company: ZUNG KEE CHINESS RESTAURANT 三和
Name: ALEX HO
Name:
Address: 18908 E GALE AVE ROWLAND HEIGHTS CA 91748
Phone NO: 626-913-0213

Company: MEI'S Yogurt Tea Bar 1下午茶坊
Name: KING LAU
Name:
Address: 18910 E GALE AVE #B Rowland Hts CA 91748
Phone NO: 626-524 4722

Company: NG HING KEE Book store 吳興記
Name: Mr. Ng.
Name:
Address: 18912 GALE AVE #A Rowland Hts CA 91748
Phone NO: 626-8540060

Company: Meteor Hair Style 流星
Name: Paula Huang
Name:
Address: 18916 E Gale Ave Rowland Hts CA 91748
Phone NO: 626-965-6536

Company: A Plus Restaurant Inc. DBA 大福
Name: Ding's Gourden
Name: XIAO MIN YU
Address: 18922 E. Gale Ave #A Rowland Heights CA 91748
Phone NO: 626-810-0600 626-512-8628 Cell

Company: A Plus Restaurant Inc. DBA.
Name: ~~Berry~~ Berri Yugurt.
Name: XIAO MIN YU
Address: 18922 E. Gale Ave #B Rowland Heights CA 91748
Phone NO: Same above.

COMMENT LETTER #34 (PAGE 4)

4 of 6 9.2

Mandarin Plaza Tenants:

Company: Bangen King
Name: Pao Wei
Name:
Address: 18932 Gale Ave. Rowland Hts, CA 91748
Phone NO: 626-912-5950

Company: Q Noodle House 鴻老麵
Name: Palmer Wei Cheng Lai
Name: Cynthia Lai
Address: 18930 E. Gale Ave. Rowland HTS. Ca 91748
Phone NO: 626-523-2338

Company: Baytown Bistro INC 炸鐵板燒
Name: Kings wood Teppanyaki Restaurant
Name: Mei-Heng Lin
Address: 18900-B E. Gale Ave
Phone NO: (626) 912-1382

Company: elle european Collections 儷人行
Name: Yu Ting, Yu
Name:
Address: 18918 E. Gale Ave.
Phone NO: Rowland HTS CA 91748
(626) 810-1289

Company: Maxim Cafe 美5
Name: David Loh
Name:
Address: 18904 E Gale Ave Rowland Hts CA 91748.
Phone NO: 626-913-7777

Company: RowLand Palace 瀟湘園
Name: JACK QIN
Name:
Address: 18900 E. GALE AVE #A, RH. CA 91748
Phone NO: 626-854-6686

COMMENT LETTER #34 (PAGE 5)

5 of 6 ?,3

Mandarin Plaza Tenants:

Company: YU'S Resources INC.
Name:
Name:
Address: 18922 Gale Ave. #D Rowland Heights CA 91748
Phone NO: 626-581-1958

Company: Pito Rowland INC.
Name: Diana TRAN
Name:
Address: 18916 Gale # A
Phone NO: 626-810-8800

Company: plaza Deli
Name: JASPER TSAI.
Name:
Address: 18920 Gale AV.
Phone NO: (626) 810-7838.

Company: Just Kanpai, Inc.
Name: Kanin Lee
Name:
Address: 18902 Gale Ave. #A
Phone NO: 626-814-3300

Company: Yummy INC.
Name: KUO ZHANG
Name:
Address: 18902 E Gale Ave #B
Phone NO: (626) 839-9319

Company:
Name:
Name:
Address:
Phone NO:

COMMENT LETTER #34 (PAGE 6) 2.4

6 of 6

Company: YU'S Resources INC.
Name:
Name:
Address: 18922 Gale Ave. #D Rowland Heights CA 91748
Phone NO: 626-581-1958

Company: RHO Rowland INC.
Name: Diana Tran
Name:
Address: 18910 Gale. # A
Phone NO: 626-810-8800

Company: Lee Wah Bakery
Name: Janice Wong
Name:
Address: 18912 E Gale Ave
Phone NO: 6269131881

Company: Coconut Bay Bar & Grill
Name: Daniel Thammanukulkorn
Name:
Address: 18922 Gale Ave #E
Phone NO: 626-913-9933

Company: Yuri cosmetic boutique
Name: Reiko Otsuki
Name:
Address: 18922 E. Gale Ave. #C Rowland Hts Ca 91748.
Phone NO: (626)810-8911

Company:
Name:
Name:
Address:
Phone NO:

Comment Letter 34

Wendy
Mandarin Plaza
No Address
December 2008

Response No. 34-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 34-2

Refer to Response No. 34-1.

Response No. 34-3

Refer to Response No. 34-1.

Response No. 34-4

As discussed in Section 2.4 Construction Impacts, mitigation measures have been identified that would result in no adverse impacts associated with construction noise and vibration. It is not anticipated that the construction specifications would limit nighttime construction. There may be times when nighttime construction is desirable (e.g., in commercial districts where nighttime construction would be less disruptive to businesses in the area) or necessary to avoid unacceptable traffic disruptions. Since the construction would be subject to the requirements of the local noise regulations, the contractor would need to work with local authorities to establish an acceptable approach balancing interruption of the business and residential community, traffic disruptions, and reducing the total duration of the construction.

Response No. 34-5

As discussed in Section 2.4 Construction Impacts, although no mitigation measures are required as there are no anticipated adverse construction air quality impacts, the following BMPs are included to ensure proper implementation of SCAQMD Rule 403 (which deals with fugitive dust issues).

- Construction contractors shall maintain mobile and stationary equipment in proper working order. This will reduce emissions of ROG, NO_X, and PM_{10} by approximately five percent. Construction equipment should use low sulfur fuels as practicable.
- SCAQMD Rule 403- Fugitive Dust will apply to the construction phase of the Proposed Project. Contractors shall water actively graded sites to reduce fugitive dust emissions. On-site stockpiles of dirt or debris shall be covered or watered twice daily. Watering should be adequate to eliminate visible dust plumes. Site access points shall be swept or washed within 30 minutes of visible dirt deposition on any public roadway. These measures will reduce emissions by approximately 50 percent.

- Travel speeds on unpaved surfaces shall be kept to below 15 miles per hour. Haul trucks shall be covered and two feet of freeboard shall be left between the top of the load and the top of the truck bed.
- Ballast shall be wetted as it is unloaded from haul trucks to reduce dust emissions. This measure would reduce dust from ballast by at least 50 percent.
- Construction operations on any unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
- Non-potable water shall be used for construction activities as feasible.
- Proposed Project contractors shall use asphalt-paving materials that comply with SCAQMD's Rule 453 regarding compliant paving material.

Response No. 34-6

As for construction traffic, as discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

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ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Response No. 34-7

The construction periods for the grade separation and for the widening parts of the proposed project are typical of similar projects. Although it is possible that advanced engineering techniques and equipment may shorten the construction time, the estimated length of construction time is consistent with similar projects in the area.

Response No. 34-8

The comment regarding the need for financial compensation is outside of the scope of the environmental review. Refer to Response No. 34-1.

Response No. 34-9

Refer to Response No. 34-1.

Response No. 34-10

Refer to Response No. 34-1.

COMMENT LETTER #35 (PAGE 1)

華暘地產
GOLDEN PACIFIC REALTY, INC

20955 Pathfinder Road, Suite 210
Diamond Bar, CA 91765
Tel: (909) 869-6299
Fax (909) 869-8039

November 24, 2008

Mr. Ricky Choi
Community Relation Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Email: Rchoi@theaceproject.org

Subject: Comments on the Initial Study/Environmental Assessment dated November 2008 on Gale Avenue widening and Nogales Street underpass project

Dear Mr. Choi,

As the Property Manager for 99 Shopping Center located at 1015 S. Nogales Street., Rowland Heights, CA, we attended the ACE Project open house on November 7, 2008, regarding the proposed widening of Gale Avenue and the Nogales Street underpass construction. From the information given in the open house and the information available in the ACE website, it is very obvious that the proposed project will greatly impact our shopping center; and the Initial Study and Environmental Assessment failed to properly address the impact.

The proposed widening of Gale Avenue will permanently eliminate approximately 73 of our parking stalls along Gale Avenue. Considering that the shopping center currently has only 660 parking stalls, the percentage taken is very substantial. And, depending on how the widening project is phased, the proposed construction easement will temporarily take upward of another 145 parking stalls, bringing the total parking stalls affected during Gale Avenue widening to 218 parking stalls. The impact on the businesses in the shopping center will be very significant. We believe the Gale widening construction easement can be cut to minimum if the Agency will utilize more of the adjacent vacant parcel for that purpose. 35-1

The Nogales Street underpass phase of the project will require the closure of the shopping center's only Nogales Street entrance during construction. The temporary construction easement will affect approximately another 34 parking stalls for a period of up to 2 years. Our shopping center is again the most impacted party during that phase of the project. 35-2

The proposed plans for Gale widening call for 2 exclusive left-turn lanes from Gale eastbound to Nogales northbound. Based on our observations over the years, the amount of traffic going that direction does not require 2 exclusive lanes. An exclusive left-turn lane plus a shared left-turn/through lane should be sufficient. The lane reduction will reduce the amount of land taken. 35-3

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COMMENT LETTER #35 (PAGE 2)

The display boards you used in the open house showed there will be two exclusive left-turn lanes from Nogales northbound to Gale westbound. However, figure 3.13-1 in the Initial Study/Environmental Assessment shows only one left-turn lane. Our own observations suggest that 2 left-turn lanes are definitely needed there. Please confirm that is what the Agency intends to provide. 35-4

The proposed underpass plans call for a vehicle exit lane and an ADA-compliant pedestrian ramp from our shopping center to Nogales southbound after the underpass is built. The pedestrians utilizing that ramp will have to go through a lot of parking lot traffic to reach the building in our shopping center and is not very practical. We suggest that the pedestrian ramp be eliminated, and both ingress and egress of vehicles be allowed at that entrance to our shopping center. The elimination of pedestrian ramp will allow more land for parking and lessen the impact. 35-5

After Gale widening, all traffic from our shopping center going eastbound on Gale will have to take the proposed new access driveway to be shared by our shopping center and the vacant parcel. However, the driveway was designed in the way that, when the vacant parcel is eventually developed, left-turn traffic from our shopping center into that driveway will backup into our shopping center, causing significant congestion in that area. 35-6

We raised all these issues because the proposed project is taking all land and easement needed from our shopping center. The uneven share of burden imposed on our shopping center deserves more deliberate mitigation measures during and after construction. It appears that the Agency can provide temporary parking during construction and create additional permanent parking spaces to compensate for the ones taken from our shopping center by utilizing the adjacent undeveloped parcel and the land of the Mobile gas station to be taken by the Agency. 35-7

The extreme hardship this project will bring to our shopping center due to substantial reduction of parking spaces and the lack of means of ingress and egress during and after construction should be more carefully looked into and mitigated. Virtually all of the businesses in our shopping center are owned and operated by ethnic minority, and the business is the only source of income for many of them. We respectfully ask that our comments and suggestions be carefully reviewed and additional mitigation measures be adopted to minimize the impacts on the businesses. 35-8 35-9

Please contact me if you have any questions about these comments. We will be happy to meet with your project team while plans for the project are being developed. Thank you. 35-10

Sincerely,

David Wong

David Wong, Property Manager
Golden Pacific Realty, Inc.
Property Manager for 99 Shopping Center

Comment Letter 35

David Wong
Golden Pacific Realty, Inc.
20955 Pathfinder Road #210
Diamond Bar, CA 91765
November 24, 2008

Response No. 35-1

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

Response No. 35-2

Refer to Response No. 35-1 for parking displacement discussion. Regarding access, as discussed in Section 2.4 Construction Impacts, although traffic would be detoured and access may be modified, ACE shall work with the City of Industry and the County of Los Angeles to maintain adequate access and proper signage for all businesses in the project area.

Response No. 35-3

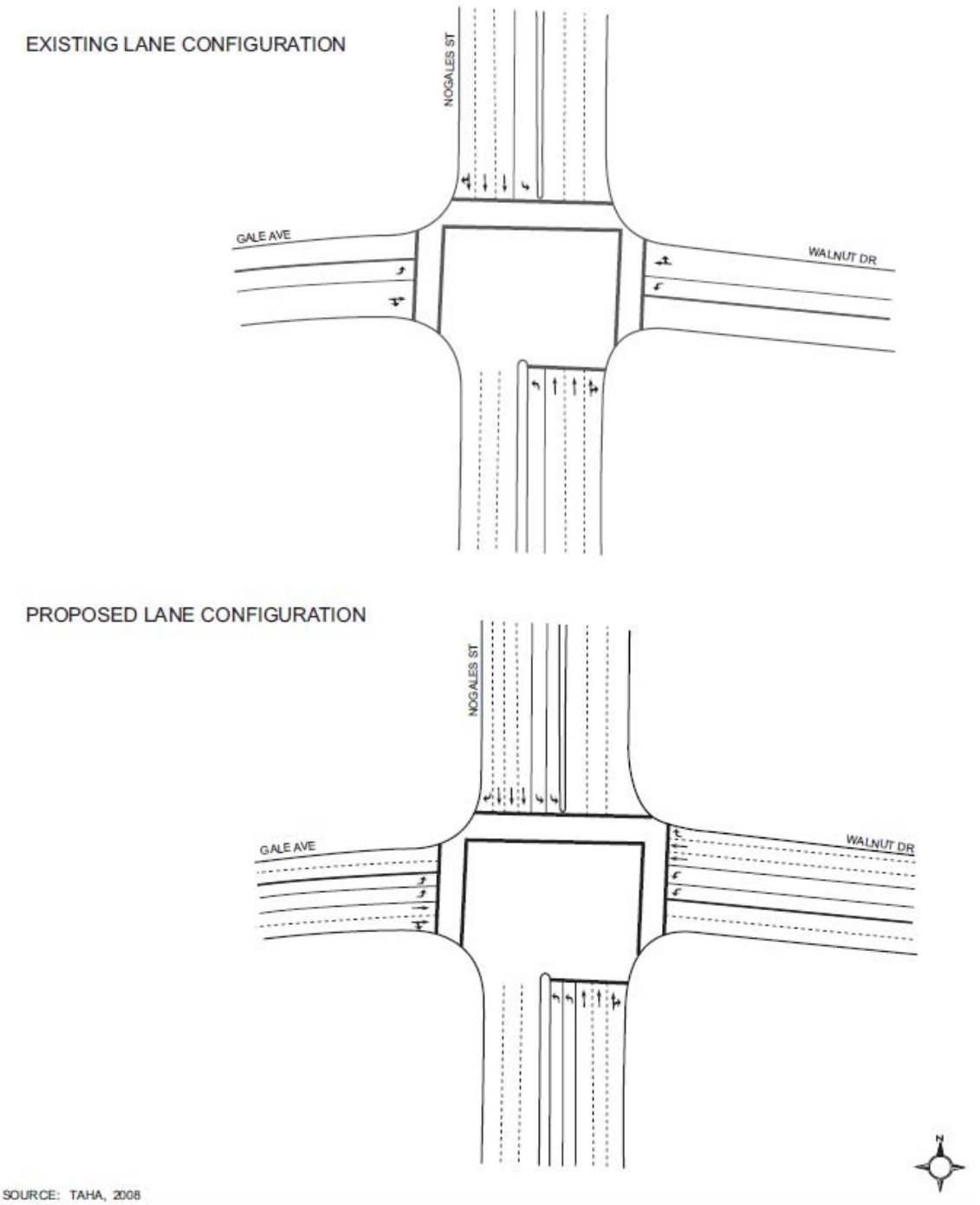
The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. However, traffic studies completed as part of this proposed project established the need for the extent of left turn lane to meet the storage length required.

Response No. 35-4

The correct configuration for the northbound Nogales Street section at Gale Avenue/Walnut Drive is two exclusive left turn lanes (onto Gale Avenue), two through lanes, and one shared through/right turn lane (onto Walnut Drive). **Figure 2.1-3** has been modified and is attached.

Response No. 35-5

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. However, ACE is reviewing the driveway and pedestrian access ramp location and design to determine if a better plan can be developed.



SOURCE: TAHA, 2008

taha 2007-019

Nogales Street Grade Separation (UPRR Los Angeles Subdivision) And Gale Avenue/Walnut Drive Widening Project IS/EA

ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY

FIGURE 2.1-3

EXISTING AND PROPOSED PROJECT LANE CONFIGURATIONS

Response No. 35-6

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. The proposed driveway access was designed exclusively for access in and out of the two adjacent properties, and conflicting traffic going beyond these driveways will be minimal. However, this concern will be reviewed with affected parties as the design for this proposed project progresses. It also will be considered in the future design and operation of the adjacent parcel.

Response No. 35-7

ACE is actively looking into other viable options to minimize the impact to the lost of parking during and after construction. Refer to Response No. 35-1.

Response No. 35-8

ACE anticipates minor relocation of business as a result of construction of the project and will take all feasible steps to minimize the temporary or permanent impacts on all affected businesses whether minority-owned or not. Grade separation locations were selected after a thorough study of future conditions at all San Gabriel Valley crossings. Major investment of the Nogales Street crossing is being made to improve the future quality of life at this location.

Response No. 35-9

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 35-10

Refer to Response No. 35-9.

COMMENT LETTER #36 (PAGE 1)

華暘地產
GOLDEN PACIFIC REALTY, INC

20955 Pathfinder Road, Suite 210
Diamond Bar, CA 91765
Tel: (909) 869-6299
Fax (909) 869-8039

December 4, 2008

Mr. Ricky Choi
Community Relation Manager
Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706
Email: Rchoi@theaceproject.org

Subject: Additional Comments on the Initial Study/Environmental Assessment dated November 2008 on Gale Avenue widening and Nogales Street underpass project

Dear Mr. Choi,

After sending you our November 24, 2008 comments, upon further review of the information provided in the open house and the information available in the ACE website, it appears that the number of parking stalls we will be loosing permanently needs to be adjusted upward by approximately 20 stalls.

The proposed new access driveway to be shared by our shopping center and the vacant parcel was positioned and designed in the way that it will also eliminate those 20 parking spaces along the west boundary of our shopping center. This will bring the permanent loss of parking spaces to 93, not the 73 spaces originally projected; and the impact will be even greater. 36-1

We believe a meeting between us and your Agency as soon as possible is necessary before the plans are developed further. Please let me know if such a meeting can be arranged. Thank you. 36-2

Sincerely,

David Wong

David Wong, Property Manager
Golden Pacific Realty, Inc.
Property Manager for 99 Shopping Center

RECEIVED
DEC 08 2008

COMMENT LETTER #36 (PAGE 2)

Ricky Choi

From: david@goldenpacificrealty.com
Sent: Thursday, December 04, 2008 4:35 PM
To: Rchoi@theaceproject.org
Subject: 2nd Letter of Concern "Gale/Nogales Project"
Attachments: 2nd Letter of concerns to ACE re Gale Nogales project 12-04-08.pdf

Hi Ricky,

After further review on Gale/Nogales project, please find enclosed additional letter of concern. Thank you.

Best regards

David Wong
Golden Pacific Realty Inc.
20955 Pathfinder Road, #210
Diamond Bar, CA 91765
909-869-6299 Phone
909-869-8039 Fax
Email: David@goldenpacificrealty.com

1

Comment Letter 36

David Wong
Golden Pacific Realty, Inc.
20955 Pathfinder Road #210
Diamond Bar, CA 91765
December 4, 2008

Response No. 36-1

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

Response No. 36-2

The comment regarding the need for financial compensation is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

COMMENT LETTER #37 (PAGE 1)

pillsbury

Pillsbury Winthrop Shaw Pittman LLP
50 Fremont Street | San Francisco, CA 94105-2228 | tel 415.983.1000 | fax 415.983.1200
MAILING ADDRESS: P. O. Box 7880 | San Francisco, CA 94120-7880

Scott A. Sommer
tel 415.983.1813
scott.sommer@pillsburylaw.com

December 8, 2008

Via Electronic Mail (rchoi@theaceproject.org) and Overnight Delivery

ACE Construction Authority
c/o Mr. Ricky Choi
Community Relations Manager
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

Re: Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project – Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration – Comments.

Ladies and Gentlemen:

On behalf of W AND B WOO LLC, a California limited liability company, DCC HOLDINGS LLC, a California limited liability company, ALRICHJOY INVESTMENT LLC, a California limited liability company, G AND T INVESTMENT LLC, a California limited liability company, WKC HOLDINGS LLC, a California limited liability company, and EDWARD ROWLAND LLC, a California limited liability company (collectively "Edward Properties"), who are local business owners and partners in the Rowland Heights Neighborhood in the vicinity of the proposed Nogales Street grade separation and Gale Avenue/Walnut Drive widening area in the City of Industry (the "Project"), we have been asked to review and provide comments on the proposed Mitigated Negative Declaration ("MND") prepared for the Alameda Corridor-East Construction Authority ("ACE").

Edward Properties is the lessor of the 99 Shopping Center site at the northwest corner of the intersection of Nogales Street and Gale Avenue and the lessor of the shopping center at the southwest corner of Nogales Street and Gale Avenue (the "Subject Properties").

COMMENT LETTER #37 (PAGE 2)

You have also received correspondence dated November 24, 2008 from David Wong, Property Manager for the 99 Shopping Center, which also describes some of the potential impacts on the Subject Properties which have not been considered under the MND. A copy of Mr. Wong's correspondence is attached hereto for ease of reference and is incorporated by reference.

As set forth in more detail below, the MND appears to be deficient in it discussion of project impacts in a number of areas, including traffic, noise, land use, environmental justice and construction impacts, including, but not limited to, the impacts caused by reduction in parking and access on the Subject Properties. We believe that these issues represent significant environmental impacts to the area which will require more in-depth analysis than provided in the MND. 37-1

As a preliminary comment, the MND for the Project represents only a small piece of a much larger project being constructed by ACE. According to the ACE website:

> The ACE Project consists of multiple construction projects including near-term, low cost mobility improvements that encompass safety upgrades and traffic signal control measures, and grade separations. ACE has completed Jump Start safety improvements at 39 crossings. Construction is complete for the first four grade separations, and underway or funded for the next 6 of 20 planned grade separation projects. The remaining 10 grade separations are pending funding. 37-2

It is well established CEQA[1] doctrine which ensures that "environmental considerations do not become submerged by chopping a larger project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." *Laurel Heights Improvement Assoc. v. Regents of University of California,* 47 Cal.3d 376 (1988). Clearly the ACE Project with its multiple component projects spread across 70 miles and multiple jurisdictions has greater environmental impacts than those described in the MND.

We believe that a complete analysis of the entire ACE Project is required to in order to have a meaningful discussion of environmental impacts.

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[1] California Environmental Quality Act, Public Resources Code § 21000 et seq. and implementing guidelines ("CEQA Guidelines") at 14 CCR 15000 *et seq.*

COMMENT LETTER #37 (PAGE 3)

Alternatives

Without comment the MND states that no alternatives for the road widening portion of the Project were evaluated. MND at page 8. Although CEQA does not require an exhaustive discussion of alternatives to a project, the MND's lack of analysis of *any* alternative creates a situation whereby the decision maker has no comparisons on which to base a decision. 37-3

It is clear that alternative lane configurations, traffic calming methods and improvements at other intersections along Gale Avenue and Walnut Drive may directly impact the Project[2] or may provide alternative locations for Project style improvements. Since the Project also proposes to take numerous properties by eminent domain (both temporary and permanent)[3] while other properties will remain untouched, the configuration of the lane widening and displaced properties easily lends itself to review and consideration of additional alternatives. 37-4

Traffic

The MND states that Gale Avenue/Walnut Drive is one of four primary east-west arterials in the City of Industry and is the closest to SR 60. During periods of heavy congestion on SR 60, motorists often use Gale Avenue/Walnut Drive as an alternate route, resulting in added traffic congestion through the Project area. MND at page 69. The existing traffic conditions described the Level of Service ("LOS") at the Nogales/Gale intersection as currently LOS C for the morning peak hours and LOS F for the evening commute hours. 37-5

The traffic analysis uses a future date of the year 2025 to establish that without the Project improvements the LOS at the intersection would remain essentially unchanged at LOS E and F and would show only slight improvement to LOS D and E with implementation of the Project. Based solely on this one study showing a reduction in traffic LOS, the MND claims there will be "no adverse impacts related to transportation and traffic." MND at page 73. 37-6

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[2] The larger ACE Project proposes changes at Fullerton Road and Fairview Drive both within several hundred yards of the Project site. These changes are not discussed in the MND although they may have a direct impact many aspects of the Project.

[3] See table of properties proposed for eminent domain at MND page 65. 37-7

COMMENT LETTER #37 (PAGE 4)

The Project would cause substantial loss of access and necessary parking on the Subject Properties. However, the MND does not contain any analysis of this loss of access to the Subject Properties, substantial loss of parking and effect on peak traffic and patterns associated with weekday and weekend shoppers coming and going from the area businesses; any discussion of impacts on local bus service in the area;[4] any discussion of the access points and travel patterns of traffic to/from SR60 to the Gale/Walnut intersection; proposed changes to traffic patterns in the surrounding area which may impact traffic at the intersection; and whether the traffic analysis considered the impacts of the larger ACE Project on traffic in the area, including any improvements made in the area as part of the ACE Project Jump-Start Program. This renders the MND deficient. A substantive basis is not set forth in this part of the MND as to how and why the Gale Avenue/Walnut Drive widening is required as a consequence of the proposed grade separation.

37-8
37-9
37-10
37-11
37-12

Land Use

The MND states that the "Project would not affect location, distribution, density, or growth rate of the residential population, and it would not induce large commercial or residential development. As such, no adverse impacts associated with land use issues resulting from land use incompatibility or inconsistency are anticipated." MND at page 59. The MND does not present any basis for this conclusionary statement, and it is clear that the MND has failed to adequately consider the impact of the Project on local land use in a number of ways.

37-13

Most land use and General Plan documents contain policies related to preservation and enhancement of existing commercial, retail and industrial facilities within Cities. The MND dismisses any impacts, both temporary during construction and long term associated with the Project's displacement of local business, reduction in available parking and reconfiguration of roadways, and contains an incorrect statement that the Project will impact up to 38 different businesses (see MND Table 3.12-5). To the contrary, the Subject Properties alone contain 61 businesses that will be impacted by the Project. This understatement of affected businesses compromises the conclusions

37-14
37-15

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[4] Closely associated with bus service are the public safety concerns of pedestrians traveling from area bus stops across the widened sections of the roadway and construction areas. The MND simply states without comment that the "Project would also improve pedestrian safety by providing appropriate width of sidewalks in the improved area. As such, no adverse impacts associated with public safety are anticipated." MND at page 76. Clearly this is inadequate.

37-16

COMMENT LETTER #37 (PAGE 5)

of the MND and underscores an obvious conflict with the local land use policy of business preservation.[5]

The potential changes to and loss of traffic access and loss of parking at the Subject Properties will cause effects on local business, compliance issues with conditions required for operation under local land use entitlements, issues related to noise, disruption and construction of potential replacement parking structures or facilities (underground, multi-story, or otherwise), and other impacts. 37-17

Along with the general impacts to local businesses associated with a construction project, the MND also fails to analyze the impacts of the temporary and permanent losses in parking and reconfiguration of driveways on the local businesses. The MND contains an estimate that the 99 Shopping Center may lose up to 75 parking spaces as a result of the Project. However, Mr. Wong's correspondence reports that the total of temporary and permanent spaces has been underestimated and may be as high as 218. These figures have since been recalculated and Mr. Wong now reports that 93 parking spaces will be permanently lost and 145 will be temporary lost, for a total of 238. In addition to this error, the MND does not include the necessary base analysis of required or permitted parking in the City of Industry. This precludes the public and decision makers from a full understanding of the Project impacts.[6] 37-18

Accordingly, it is clear that there is not an adequate basis for the conclusion set forth at page 59 of the MND that there would be no adverse impacts. There are large potential impacts that ACE is required to study in a proper manner in accordance with the requirements of the CEQA Guidelines. 37-19

Conclusion

Based on the superficial treatment of the Project impacts provided by the MND, it is impossible to predict the environmental consequences of the Project. CEQA requires

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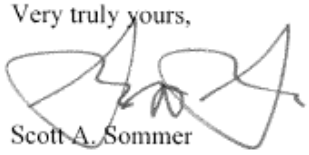
[5] The Environmental Justice section of the MND finds that the Project will not have a disproportionate impact on minority populations. MND at page 64. In fact the 99 Shopping Center and associated retail stores cater to a primarily Asian clientele. The MND provides no analysis of the local business demographic or the impacts associated with the displacement of these businesses on the minority community. 37-20

[6] If the loss of parking or elimination of driveways violates the existing land use requirements, serious issues may arise with the City and may permanently affect land and business values in the area. Loss of a significant business would have a domino effect on surrounding businesses. 37-21

COMMENT LETTER #37 (PAGE 6)

that the public and decision makers be provided a meaningful analysis of the environmental impact of a Project in order to weigh benefits against potential impacts. Based on just the few examples above it is clear that ACE has failed to provide the level of detail required for adequate CEQA analysis. A full explanation of the larger ACE Project and an in-depth discussion of the issues above must be completed before any action is taken. 37-22

Very truly yours,



Scott A. Sommer

Attachment

cc (w/attach): Mary Chan
David Wong
info@theaceproject.org

Comment Letter 37

Scott A. Somner
Pillsbury Winthrop Shaw Pittman LLP
50 Fremont Street
San Francisco, CA 94105
December 8, 2008

Response No. 37-1

This comment is an opinion regarding concern regarding the adequacy of the Draft IS/MND/EA. The specifics are detailed in later comments. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 37-2

The proposed project is a smaller piece within a larger ACE project which includes several construction projects ranging from at-grade crossing minor improvements to grade separations. A programmatic EIR was completed in 2000 which analyzed the entire ACE corridor, including the proposed project. This programmatic EIR was certified and approved by ACE, the lead agency. Applicable research for some environmental topics such as geology and hazardous materials were taken from this larger document and utilized in the current IS/MND/EA. As a comprehensive programmatic EIR was already completed for the entire corridor, no new corridor-wide analysis is necessary as part of this IS/MND/EA.

Response No. 37-3

This segment of Gale Avenue/Walnut Drive is an isolated choke point, the only portion of the street for miles in either direction which is two lanes in width instead of four. Alternative lane configurations will continue to be considered. Traffic calming, and improvement at other intersections will not address the capacity and congestion issues at this intersection.

Response No. 37-4

The Gale Avenue/Walnut Drive widening project would involve the full take of only one property, not numerous properties. Additionally, ACE will seek to accomplish this full take along with two partial takes and any other easements, permanent or temporary, through negotiation and only utilize eminent domain where absolutely necessary.

Response No. 37-5

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 37-6

Refer to Response No. 37-5.

Response No. 37-7

There will be no ACE-sponsored construction at either Fullerton Road or Fairway Drive during the construction period. In addition, as discussed in Section 2.4 Construction Impacts, ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius of this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.

Response No. 37-8

The combined effect on parking at the 99 Ranch Shopping Center of the Gale/Walnut widening and the Nogales Street grade separation will be approximately 35 spaces lost on a permanent basis and up to 50 spaces lost on a temporary basis during construction. ACE will review design plans in order to possibly reduce these parking space displacements. Furthermore, ACE shall provide supplementary parking areas to replace the lost parking during construction and operation.

The acquisition of property rights necessary for the project will be governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970.

Additionally, ACE shall also work with the City of Industry and the County of Los Angeles to provide adequate signage indicating that businesses are open during construction and access is maintained to the parking areas.

Response No. 37-9

As discussed in Section 2.4 Construction Impacts, ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.

Response No. 37-10

As discussed in Section 2.4 Construction Impacts, ACE shall coordinate with Caltrans and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street.

Response No. 37-11

The impacts of construction traffic are discussed at length in Section 2.4 Construction Impacts. This includes impacts to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Discussion of existing settings and future conditions with and without the proposed project is found in Section 2.1.5 Transportation and Traffic.

Response No. 37-12

The Gale Avenue/Walnut Drive widening would occur prior to the Nogales Street grade separation in order to alleviate some of the congestion anticipated during construction of the grade separation.

Response No. 37-13

The basis for the conclusion in Section 2.1.1 Land Use that the proposed project would not affect distribution, density, or growth rate of residential population is that the proposed project does not contain a housing element. Additionally, there are no residences adjacent to the proposed project. The proposed project would not displace residences.

Response No. 37-14

According to Section 2.1.2 Community Impacts, there would be a full displacement of two businesses due to the Nogales Street grade separation and one business due to the Gale Avenue/Walnut Drive widening. The loss of these three businesses would not substantially change the character of the project area. The statement regarding the number of parcels (50) and businesses (35) affected is based on the Relocation Impact Report prepared by ACE. The comment does not provide details regarding the additional number of businesses.

Response No. 37-15

The statement regarding the number of parcels (50) and businesses (35) affected is based on the Relocation Impact Report prepared by ACE. The comment does not provide details regarding the additional number of businesses. This comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 37-16

The issue of pedestrian safety is discussed in Section 2.1.1 Land Use with respect to improved safety around the UPRR tracks. Pedestrian safety issues associated with the street crossings at the widened roadways would fall under the jurisdiction of the City of Industry and the County of Los Angeles which are the agencies responsible for signalization of pedestrian crossings.

Response No. 37-17

Refer to Response No. 37-8.

Response No. 37-18

Refer to Response No. 37-8

Response No. 37-19

Refer to Response Nos. 37-1 to 37-18.

Response No. 37-20

We anticipate relatively minor relocation of businesses as a result of the project and we will take all feasible steps to minimize the temporary or permanent impacts of the proposed project on all affected businesses whether minority-owned or not. Grade separation locations were selected after a thorough study of future conditions at all San Gabriel Valley crossings. Major investment of the Nogales Street crossing is being made to improve the future quality of life at this location.

Regarding those businesses not directly displaced by the proposed project which may be owned by minorities, and which serve the surrounding minority community, construction impacts are temporary and intermittent by nature. Although the prolonged construction period that is typical of grade separation could affect the economic viability of the small businesses (by restricting access), the construction of the Nogales Street Grade Separation would not temporarily displace these businesses. In addition, ACE shall work with these business owners, the tenants, the City of Industry, and the County of Los Angeles to ensure there is sufficient and adequate access and signage directing consumers to open businesses. Therefore, no disproportionate adverse impacts associated with construction are anticipated for businesses that serve minority communities.

Response No. 37-21

Refer to Response No. 37-8. In addition, the County of Los Angeles and the City of Industry are partners with ACE on this proposed project. They will have to approve all plans for reconfiguring access points and any permanent change to parking capacity prior to construction.

Response No. 37-22

This comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

05/30/2008 06:40 9095984897 **COMMENT LETTER #38 (PAGE 1)** PAGE 01/02

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Cynthia Lai / 仅 Noodle House
Nombre / 姓名 陽春面之家 P.1

Address: Street 18930 E. Gale Ave.
Dirección City Rhts. Ca. 91748
地址 Zip Code

Phone: 909-598-9969 (H)
626-523-2337 (cell)
Teléfono / 電話

E-mail: CynthiaCLai@Yahoo.Com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

本店陽春面之家，位于 Burger King 对面，地理位置与对街的如由站一樣的三角地段，此工程開工後，陽春面之家的地理位置跟过往的車輛人潮，看得到，確不得其門而入，因萬利商場只剩下一个入口，而我們这个角落又处于最裡面的一个"死角落"生意的影响可三嚴重是可以想像，所以希望贵公司在開工後比照"Berto King"類一樣的補助方式，因為我們所受的灰塵，噪音等工程期間的傷害会是最直接的，想必贵公司的员工也不会挑选一間正处工程型之的与廳用餐吧？請"將心比心"！

Submittal

Submitted by/Sometido por/姓名: Cynthia Lai
Signature/Firma/簽名:
Date/Fecha/日期: 12-5-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

05/30/2008 06:40 909598 **COMMENT LETTER #38 (PAGE 2)** PAGE 02/02

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Cynthia Lai / Q Noodle House
Nombre / 姓名 陽春面之家 P.2

Phone: 909-598-9969
Teléfono / 電話 626-523-2337

Address: Street
Dirección City
地址 Zip Code

E-mail:
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

陽春面之家已在此開設11年之久，家庭生活的開銷全靠這家店應。開工期間近二～三年的收入，加上氣候經濟危机，前途堪虞…，或者請貴公司買断敝小店，陽春面之家可另覓他処開店，哦以維持家庭生計，家中做有二幼子，一就讀六年級，一四年级来日方長，生活該如何走下去，未知？

Submittal

Submitted by/Sometido por/姓名: Cynthia Lai
Signature/Firma/簽名:
Date/Fecha/日期: 12-5-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

COMMENT LETTER #38 (PAGE 3)

Translation for the Public Comment sent from Cynthia Lai (Q Noodle House)

December 5, 2008

Q Noodle House is right across from Burger King, and the restaurant is located in the triangle area just like the gas station across the street. Once the construction starts, people will be able to see the store; however, they won't be able to come in because the Mandarin Plaza will only have one entrance left. We will become the restaurant in the furthest corner, so you can imagine the serious impact on our business. So we hope that your company can subsidy us the same way as Bento King, because we will be directly impacted by the ashes and noise. I believe your employees would not choose a restaurant that is near a project site. 38-1 38-2

Q Noodle has been open for 11 years, and it is the only income for our household. With the overall bad economy around the country, we are extremely worried about the business during the 2-to-3-year construction. Or we are willing to sell our restaurant to your company and we can relocate. We have two young children at home, and the business loss will have a huge impact on us. 38-3

Comment Letter 38

Cynthia Lai
Q Noodle House
18930 E. Gale Avenue
Rowland Heights, CA 91748
December 5, 2008

Response No. 38-1

As discussed in Section 2.4 Construction Impacts, although traffic would be detoured and access may be modified, ACE shall work with the City of Industry and the County of Los Angeles to maintain adequate access and proper signage for all businesses in the project area.

Response No. 38-2

The comment regarding the need for financial compensation is outside of the scope of the environmental review and does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 38-3

Refer to Response No. 38-2.

COMMENT LETTER #39 (PAGE 1)

2 of 2

儷人行 **Elle European Collections**

歐洲・意大利 皮鞋・皮包

To Whom It May Concern:

This letter is regarding the concern we have for the construction that's about to start. The construction will not just affect our business, but also the work environment on the principle of our type of business. 39-1

The construction will affect the business due to the willingness of the costumer to come shopping at the store. Previously when there was a construction at Valley and Nogalos the stores around that area hit bottom low at their business, because customer doesn't want to waste time and effort to go around or change their usual routine just to shop. 39-2 Also due to the construction, the traffic around this area will take a hit. 39-3 Customer wants to spend their money only at where they are most convenience, especially with current economic why shop at a place where it's going to be traffic. 39-4

The construction will also create harsher work environment specially with our store. With construction in place noise is going to be louder plus the dirt and air pollution is going to be worse than the recent fire we have around here. Basically on our type of business we value one on one with our customer. With loud noise customer will have to speak louder to communicate plus air pollution will make our store harder to keep clean, specially we are selling clothes, shoes, and bag which once the dirt get on it it's ruin. 39-5

This is only some concerns we have regarding the construction that's about to start. Of course we understand the construction is for the better good of the whole community, but hopping there is a mutual way to satisfy both parties. 39-6

Thank you,

Elle European Collection

12/3/08

18918 E. Gale Ave., Rowland Heights, CA 91748 • Tel: (626) 810-7289 Fax: (626) 913-0229

12/03/2008 16:11 FAX 16269130229 ELLE EUROPEAN COL 002

COMMENT LETTER #39 (PAGE 2)

[illegible] of 2

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

Name: Yu Ting, Yu
Nombre / 姓名

Phone: (626) 810-7289
Teléfono / 電話

Address: Street ~~[illegible]~~ 18918 E. Gale Ave
Dirección City Rowland Hts
地址 Zip Code CA 91748

E-mail: ellejadayu@yahoo.com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

The construction that's about [illegible] not just affect our business but also affect the [illegible] environment
对们 [illegible] Construction 会对我们公司有所影响，以下：[illegible] 影响 [illegible]

工作环境 [illegible]

Submittal

Submitted by/Sometido por/姓名:
Signature/Firma/簽名:
Date/Fecha/日期:

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

12/03/2008 16:10 FAX 16268130229 ELLE EUROPEAN CO. 001

12/03/2008 16:11 FAX 162691 **COMMENT LETTER #39 (PAGE 3)** 003

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY
4900 Rivergrade Road, Suite A120, Irwindale, CA 91706 • Tel: (800) ACE-1426 • Fax: (626) 472-0094 •
www.theaceproject.org

Nogales Street Grade Separation Project – Open House Comment Form

Contact Information / Información de Contacto / 聯絡詳情

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Nombre / 姓名

Phone: (626)810-7289
Teléfono / 電話

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Dirección City Rowland Hts
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E-mail: ellejade yu@yaho .com
Coreo electrónico / 電郵網址

Public Comment / Comentarios / 意見欄 (Attach additional pages if necessary)

See attachment

Submittal

Submitted by/Sometido por/姓名: YuTing, Yu
Signature/Firma/簽名:
Date/Fecha/日期: 12-3-08

Please submit this form to an ACE Project Team Member, or mail to: Community Relations Project Manager, ACE Construction Authority, 4900 Rivergrade Road, Suite A120, Irwindale, CA 91706, or fax: to (626) 472-0094.
Please submit comments to ACE on or before December 8, 2008.

Comment Letter 39

Yu Yu-Ting
Elle European Collections
18918 E. Gale Avenue
Rowland Heights, CA 91748
December 3, 2008

Response No. 39-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 39-2

Refer to Response No. 39-1.

Response No. 39-3

As discussed in Section 2.4 Construction Impacts, ACE shall work directly with the City of Industry and the County of Los Angeles to develop construction traffic management plans to ensure that distributed traffic would not result in disproportionate adverse effects on any particular street segment. While no physical improvements are anticipated, the management plans developed shall focus on motorist information signage, minor re-striping, and possible adjustments to signal operations. In addition, the following mitigation measures shall be implemented to reduce bus transit and vehicular traffic impacts of constructing the Nogales Street grade separation portion of the Proposed Project:

- ACE shall maintain close coordination with all local government agencies such that major public or private construction activities within a one-mile radius from this project will be scheduled accordingly to avoid overlapping or conflicting traffic detour arrangements.
- Bridge construction that requires street closure shall be scheduled so only one crossing in an area is affected at one time.
- ACE shall provide the public and transit users advance notice of proposed transit reroutes and any other changes in stops and service; bus route detours shall minimize the number of bus stop changes. In most cases, buses would follow the designated detour for other traffic.
- ACE shall notify local businesses in advance of major proposed construction activities and road closures.
- Contractors shall prepare and implement traffic handling plans approved by the City of Industry and the County of Los Angeles. Plans shall identify detour routes, signing and barricade locations, turnarounds at street closures and other traffic control elements.
- ACE shall coordinate with the City of Industry, the County of Los Angeles, and Caltrans to provide the public advance notice of proposed traffic detours and their duration.

ACE shall coordinate with Caltrans, the County of Los Angeles, and the City of Industry to ensure that acceptable traffic operations are maintained in the segment from the SR 60 westbound off-ramp to the intersection of Nogales Street and Gale Avenue/Walnut Drive. Specific consideration will be given to on-freeway signage directing motorists and truckers to use alternate exits in the project vicinity to avoid delays at Nogales Street. With implementation of these mitigation measures, impacts associated with construction traffic would not be considered adverse.

Response No. 39-4

Refer to Response No. 39-1.

Response No. 39-5

As discussed in Section 2.4 Construction Impacts, mitigation measures have been identified that would result in no adverse impacts associated with construction noise and vibration. It is not anticipated that the construction specifications would limit nighttime construction. There may be times when nighttime construction is desirable (e.g., in commercial districts where nighttime construction would be less disruptive to businesses in the area) or necessary to avoid unacceptable traffic disruptions. Since the construction would be subject to the requirements of the local noise regulations, the contractor would need to work with local authorities to establish an acceptable approach balancing interruption of the business and residential community, traffic disruptions, and reducing the total duration of the construction.

As discussed in Section 2.4 Construction Impacts, although no mitigation measures are required as there are no anticipated adverse construction air quality impacts, the following BMPs are included to ensure proper implementation of SCAQMD Rule 403 (which deals with fugitive dust issues).

- Construction contractors shall maintain mobile and stationary equipment in proper working order. This will reduce emissions of ROG, NO_X, and PM_{10} by approximately five percent. Construction equipment should use low sulfur fuels as practicable.
- SCAQMD Rule 403- Fugitive Dust will apply to the construction phase of the Proposed Project. Contractors shall water actively graded sites to reduce fugitive dust emissions. On-site stockpiles of dirt or debris shall be covered or watered twice daily. Watering should be adequate to eliminate visible dust plumes. Site access points shall be swept or washed within 30 minutes of visible dirt deposition on any public roadway. These measures will reduce emissions by approximately 50 percent.
- Travel speeds on unpaved surfaces shall be kept to below 15 miles per hour. Haul trucks shall be covered and two feet of freeboard shall be left between the top of the load and the top of the truck bed.
- Ballast shall be wetted as it is unloaded from haul trucks to reduce dust emissions. This measure would reduce dust from ballast by at least 50 percent.
- Construction operations on any unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
- Non-potable water shall be used for construction activities as feasible.
- Proposed Project contractors shall use asphalt-paving materials that comply with SCAQMD's Rule 453 regarding compliant paving material.

Response No. 39-6

Refer to Response No. 39-1.

Response No. 39-7

Refer to Response No. 39-1.

COMMENT LETTER #40 (PAGE 1)

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, CA 91311

Arnold Schwarzenegger
Governor

January 16, 2009

Mr. Rick Richmond
Chief Executive Officer
Alameda Corridor – East Construction Authority
4900 Rivergrade Road, Suite A 120
Irwindale, California 91706

NOTICE OF COMPLETION OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION/ENVIRONMENTAL ASSESSMENT FOR THE NOGALES STREET GRADE SEPARATION AND GALE AVENUE/WALNUT DRIVE WIDENING PROJECT, SCH NO. 2008121056

Dear Mr. Richmond:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion of Initial Study and Mitigated Negative Declaration/Environmental Assessment (IS/MND/EA) for the project mentioned above. 40-1

Based on the review of the document, DTSC comments are as follows:

If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exist, the IS/MND/EA should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight. 40-2

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550. 40-3

Sincerely,

Alberto T. Valmidiano
Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office

cc: See next page

Printed on Recycled Paper

COMMENT LETTER #40 (PAGE 2)

Mr. Rick Richmond
January 16, 2009
Page 2

cc: Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Office of Environmental Planning and Analysis
CEQA Tracking Center
Department of Toxic Substances Control
1001 "I" Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814

Comment Letter 40

Alberto T. Valmidiano, Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, CA 91311
January 16, 2009

Response No. 40-1

The comment does not state a specific concern regarding the adequacy of the Draft IS/MND/EA. As such, no additional response to this comment is necessary. However, this comment is noted for the administrative record and will be forwarded to the decision-makers for review and consideration.

Response No. 40-2

Additional language has been added to Section 2.2.4 Hazardous Waste:

Project impacts related to hazardous waste would be avoided by (1) conducting and following the recommendations of a Phase II ESA that will further characterize hazardous waste potential at the site, including the potential for encountering contaminated groundwater, soils, and/or aerially-deposited lead; and (2) preparing and implementing the following plans prior to construction: health and safety plan, waste management plan, sampling and analysis plan, and a work plan for the remediation of any hazardous wastes encountered. The work plan shall include provisions such as if during construction of the proposed project, groundwater or soil contamination is suspected, construction in the area shall stop, and appropriate health and safety procedures shall be implemented. Appropriate health and safety procedures include removal, on-site treatment (if necessary), and safe transport of contaminated soils and materials to approved hazardous materials disposal sites. With implementation of these measures, impacts related to hazardous waste will not be considered adverse.

If remediation is required, it would be overseen by the Department of Toxic Substances Control and would follow established remediation procedures.

Response No. 40-3

Refer to Response No. 40-1.

4.0 LIST OF PREPARERS

The following individuals were principally responsible for preparing this Proposed Mitigated Negative Declaration and Initial Study/Environmental Assessment:

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Janet Fitzgerald, Graphics Director/Senior Associate, Terry A. Hayes Associates LLC

Patrick Somerville, P.E., Assistant Vice President, DMJM Harris

5.0 CONSULTATION

Technical Reports

The following technical reports document environmental studies conducted for the Nogales Street Grade Separation and Gale Avenue/Walnut Drive Widening Project:

Alameda Corridor - East Air Quality Technical Report, Terry A. Hayes Associates LLC, September 1999 (Revised March 2000).

Biological and Water Quality Technical Study, Alameda Corridor - East, Parsons Engineering Science, September 1999 (Revised March 2000).

Draft Geotechnical Report: Alameda Corridor - East, Group Delta, September 1999.

Final Relocation Impact Report, Del Richardson & Associates, Inc., November 2003 (Revised March 2004 and September 2004).

Final Relocation Impact Report for Nogales Street Separation, Construction of Temporary Otterbein Avenue Detour, and Gale/Walnut Street Widening in City of Industry and Unincorporated Portions of Los Angeles County, Alameda Corridor-East Construction Authority, September 2004.

Gale Avenue-Walnut Drive Widening Traffic Impact Analysis, Meyer, Mohaddes Associates, July 2006

Hazardous Waste Mitigation Measures Study: Alameda Corridor - East, Parsons Engineering Science, September 1999.

Historic Architectural Survey Report: Grade Separations within the Alameda Corridor - East Project (Crossings #14, 16, and 26), JRP Historical Consulting Services, March 2000.

Historic Properties Survey Report, Alameda Corridor - East, Nogales Street Grade Separation, Parsons Transportation Group, March 2000.

Limited Traffic Impact Study of the Nogales Street Grade Separation (LA Subdivision), Korve Engineering, Inc., July 2004

Memo Regarding Site Visit and Evaluation of 938 Nogales Street, Rowland Heights, Los Angeles County, SWCA, September 2008

Negative Archaeological Survey Report: Alameda Corridor - East, Nogales Street Grade Separation Location 14, Greenwood and Associates, March 2000.

Nogales Street Grade Separation – Construction Detour Routing Traffic Management Analysis, AECom, June 2009.

Noise and Vibration Assessment, Alameda Corridor - East, Parsons Transportation Group, September 1999 (Revised March 2000).

Paleontologic Resources Literature Review and Mitigation Plan: Alameda Corridor - East, Section of Paleontology - San Bernardino County Museum, August 1999.

Phase I Environmental and Geotechnical Site Assessment, MAA Engineering Consultants, May 1999.

San Gabriel Valley Crossing Study, Korve Engineering, January 1997.

Other References

2004 RTP Adopted Forecast, Southern California Association of Governments, April 2004.

Air Quality Data Statistics (2005-2007), California Air Resources Board, 2006-2008.

Air Quality Standards, California Air Resources Board, April 1, 2008.

California Scenic Highway Program website, http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, California Department of Transportation, accessed July 5, 2008.

City of Industry General Plan, City of Industry.

Cortese List website, http://www.calepa.ca.gov/sitecleanup/CorteseList/default.htm, California Environmental Protection Agency Department of Toxic Substances Control, accessed August 20, 2008.

Federal Highway Administration website, http://fhwa.dot.gov, Federal Highway Administration, accessed February 1, 2008

FTA Guidance Manual Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.

Highway Capacity Manual, Transportation Research Board, 2000.

Historic Data by Year (2005-2007), South Coast Air Quality Management District, 2006-2008.

Los Angeles County Municipal Code, County of Los Angeles.

Seismic Hazards Zone Map Los Angeles Quadrangle website, http://www.conservation.ca.gov/cgs/shzp/Pages/Index.aspx, State of California Department of Conservation, March 1999, accessed August 14, 2008.

Southern California Earthquake Data Center website, http://www.data.scec.org/index.html, Southern California Earthquake Data Center, accessed August 14, 2008.

The Code of Federal Regulations, Office of the Federal Register.

6.0 DISTRIBUTION LIST

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San Gabriel Valley State Senators
San Gabriel Valley State Assembly Members

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City Council of City of West Covina
County of Los Angeles Supervisors

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